

## PM Highlights from the FY20 NDAA Joint Explanatory Statement

Please refer to accompanying NDAA Conference Report for the text of the Sections referred to.

Note: If the Title of any given provision does not include a Section Number, the provision WAS NOT adopted.

### Contents

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## Turkey

### Limitation on transfer of F-35 aircraft to Turkey (sec. 1245)

The Senate bill contained provisions (sec. 1236, 6218, and 6236) that would, among other things, place limitations on the transfer of F-35 aircraft to the territory of the Republic of Turkey, provide a waiver to such limitations subject to a certification of certain conditions met by the Government of Turkey, and express the sense of the Senate regarding the Government of Turkey's purchase of the S-400 air defense system.

The House amendment contained similar provisions (sec. 1255 and 1267) that would, among other things, place limitations on the transfer of F-35 aircraft to Turkey, provide a waiver to such limitations subject to a certification of certain conditions met by the Government of Turkey, and express the sense of Congress on Turkey's potential acquisition of the Patriot system from the United States.

The Senate recedes with an amendment that would provide that none of the funds authorized to be appropriated or otherwise made available for the Department of Defense may be used to do the following, and the Department may not otherwise do the following: transfer, facilitate the transfer, or authorize the transfer of, any F-35 aircraft or related support equipment or parts to Turkey; transfer intellectual property,

technical data, or material support necessary for, or related to, any maintenance or support of the F-35 aircraft necessary to establish Turkey's indigenous F-35 capability; or construct a storage facility for, or otherwise facilitate the storage in Turkey of, any F-35 aircraft transferred to Turkey. The amendment would allow the Secretary of Defense, jointly with the Secretary of State, to waive such limitation if the Secretaries submit to the appropriate committees of Congress a written certification that contains a determination by the Secretaries,

and any relevant documentation on which the determination is based, that the Government of Turkey, having previously accepted delivery of the S-400 air and missile defense system from the Russian Federation: no longer possesses the S-400 air and missile defense system or any other equipment, materials, or personnel association with such system; has provided credible assurances that the Government of Turkey will not in the future accept delivery of such system; and has not, since July 31, 2019, purchased or accepted delivery of defense equipment from

the Russian Federation in addition to the S-400 air and missile defense system that would increase the risk of compromising the

capabilities of the F-35 aircraft and its associated systems.

The amendment would not allow the Secretary of Defense and Secretary of State to waive the limitation until 90 days after the date on which the Secretaries submit the required certification. The amendment would also express the sense of Congress that, among other things, the acceptance of the S-400 air and missile defense system by Turkey constitutes a significant



transaction within the meaning of section 231(a) of the Countering Russian Influence in Europe and Eurasia Act of 2017 (Public Law 115-44). The amendment would further express that the President should implement sanctions under section 235 of that Act with respect to any individual or entity determined to have engaged in such significant transaction as if such person were a sanctioned person for purposes of such section. The amendment would also authorize the Secretary of Defense to fly up to six Turkish F-35 aircraft to a storage location in the United States and to induct these aircraft into a long-term storage condition. The amendment would further authorize the Secretary of Defense to expend up to \$30.0 million of funds

authorized to be appropriated for fiscal year 2020 for the Department of Defense to conduct activities associated with storage, preservation, and developing a plan for the final disposition of such F-35 aircraft and Turkish F-35 aircraft equipment. The amendment would also require a report and notification of expenditure of funds under specified conditions.

Limitation on availability of funds for reallocation of Turkish F-35A aircraft to the United States (sec. 163)

The conferees support the removal of the Government of Turkey from the F-35 program due to its purchase of the S-400 Russian air defense system. As such, the conferees would support procurement by the Department of Defense of all F-35A aircraft procured by the Government of Turkey. The conferees also encourage the Secretary of Defense to maximize the procurement quantity of Turkish F-35A aircraft associated with Lots 12, 13, or 14 during fiscal year 2020 using the additional funds authorized in section 4101 of this Act. Additionally, given the significant impact of the sustainment and spare parts deficit currently within the F-35 program, the conferees emphasize the importance of fully funding spare parts, ancillary mission equipment, publications, and technical data required to sustain F-35 aircraft. Therefore, the

conferees recommend a provision that would require the Secretary of Defense to certify that these necessary support equipment items will be procured prior to taking possession of the Turkish F-35A aircraft, and that any Turkish F-35A aircraft will be delivered to the U.S. Air Force in a configuration that allows for integration into the existing Air Force F-35A fleet. Finally, the conferees direct the Secretary of the Air Force, in consultation with the Undersecretary of Defense for Acquisition and Sustainment and the F-35 Program Executive Officer, to submit a report to the congressional defense committees not later than March 1, 2020, that describes the strategy and implementation plan associated with the necessary funding and actions required during each phase to produce, modernize, deliver, field, operate and sustain the Turkish F-35A aircraft authorized to be procured by the Department of Defense elsewhere in this Act.

## FIRMA/DIB

Mitigating risks related to foreign ownership, control, or influence of Department of Defense contractors or subcontractors (sec. 847)

The Senate bill contained a provision (sec. 833) that would require the Secretary of Defense to amend policy and regulation to take steps to enhance the process for assessing and mitigating risks related to foreign ownership, control, or influence (FOCI).

The House amendment contained no similar provision.

The House recedes with technical and clarifying amendments.

The conferees are concerned by the growing threat to the integrity of the defense industrial base from strategic competitors, like the Russian Federation, the People's Republic of China, and their proxies, seeking to gain access to sensitive defense information or technology through contractors or subcontractors. The conferees recognize that there are existing efforts underway to understand and mitigate some of these risks as directed by several pilot programs including section 1048 of the National Defense Authorization Act for Fiscal Year 2019 and

section 1969 of the National Defense Authorization Act for Fiscal Year 2018. The conferees also recognize that the Defense Counterintelligence and Security Agency (DCSA) has transitioned to a new mission and has taken on additional responsibilities despite resource constraints. However, the acquisition community must have greater visibility into all cleared and uncleared potential contractors and subcontractors seeking to do business with the Department. The Department must ensure that contractors and subcontractors do not pose a risk to the security of sensitive data, systems, or processes such as personally identifiable information, cybersecurity, or national security systems.

Prohibition on operation or procurement of foreign-made unmanned aircraft systems (sec. 848)

The Senate bill contained a provision (sec. 863) that would prohibit the operation or procurement of foreign-made unmanned aircraft systems by the Department of Defense.

The House amendment contained a similar provision (sec. 854, as amended by sec. 899D) that would prohibit the Secretary of Defense from operating or entering into a contract for the procurement of certain unmanned aircraft systems.

The House recedes.

Additionally, the conferees encourage the Secretary of Defense to take such action as necessary to strengthen the domestic production of small unmanned aircraft systems (as defined in section 331 of the FAA Modernization and Reform Act of 2012 (Public Law 112–95; 49 U.S.C. 44802 note)), as described under Presidential Determination No. 2019–13 of June 10, 2019.

## Human Rights in Operations and Training, and CIVCAS

Policies and procedures for contractors to report gross violations of internationally recognized human rights (sec. 888)

The House amendment contained a provision (sec. 899K) that would require that contractors performing Department of Defense contracts in a foreign country report possible cases of gross violations of internationally recognized human rights and that the Secretary of Defense submit a report to congressional committees describing the policies and procedures in place to obtain information about such violations and the resources needed to investigate.

The Senate bill contained no similar provision.

The Senate recedes with an amendment that would require the Department to update its policies, guidance, and regulations to include specific guidance for both Department of Defense employees and contractors for monitoring and reporting alleged violations, and clarify its applicability to contractors performing outside the United States.

Report on resources to implement the civilian casualty policy of the Department of Defense (sec. 923)

The Senate bill contained a provision (sec. 922) that would require, not later than 30 days after the date of the enactment of this Act, the Secretary of Defense to submit to the congressional defense committee a report on the resources necessary to fulfill the requirements of section 936 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232) over the future years defense plan.

The House amendment contained no similar provision.

The House recedes.

Modification of responsibility for policy on civilian casualty matters (sec. 1282)

The House amendment contained a provision (sec. 1268) that would modify section 1057 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91) and section 936 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232) relating to civilian casualty matters.

The Senate bill contained no similar provision.

The Senate recedes with an amendment that would amend section 936 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232) to modify the responsibilities of the senior civilian official of the Department of Defense designated to develop, coordinate, and oversee compliance relating to civilian casualties. The conferees direct the senior designated official to coordinate with other relevant U.S. departments and agencies

with respect to any other matters related to civilian harm resulting from military operations, including assistance provided to civilians impacted or displaced by such operations.

Plan to provide consistency of administration of authorities relating to vetting of units of security forces of foreign countries; modification of assessment, monitoring, and evaluation of security cooperation programs and activities (sec. 1206)

The House amendment contained a provision (sec. 1206) that would require, not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of State, to jointly develop, implement, and submit to the appropriate congressional committees, a plan to provide consistency in administration of section 362 of title 10, United States Code, and section 620M of the Foreign Assistance Act of 1961 (22 U.S.C. 2378d).

The Senate bill contained no similar provision.

The Senate recedes with a technical amendment.

## Security Assistance Authorities

Modification of authority to support a unified counterdrug and counterterrorism campaign in Colombia (sec. 1021)

The Senate bill contained a provision (sec. 1011) that would amend section 1021 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108- 375), as most recently amended by section 1011 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115- 91), to modify authorized assistance to the Government of Colombia to address the emergence of new threats.

The House amendment contained no similar provision.

The House recedes with an amendment that would modify the organizations with respect to which assistance may be provided under this authority.

Modification of support of special operations to combat terrorism (sec. 1041)

The House amendment contained a provision (sec. 1037) that would amend section 127e of title 10, United States Code, to modify the notification required pursuant to this authority.

The Senate bill contained no similar provision.

The Senate recedes with a technical amendment.

Modification of authority to build capacity of foreign security forces (sec. 1201)

The House amendment contained a provision (sec. 1201) that would modify section 333 of title 10, United States Code, to clarify the eligibility of support for international coalition operations as well as modify the congressional notification requirements for support provided pursuant to such section.

The Senate bill contained no similar provision.

The Senate recedes with a technical amendment.

Gender perspectives and participation by women in security cooperation activities (sec. 1205)

The House amendment contained a provision (sec. 1204) that would modify section 333 of title 10, United States Code, to require the inclusion of gender perspectives and meaningful participation by women.

The Senate bill contained no similar provision.

The Senate recedes with an amendment that would encourage, consistent with the Women, Peace, and Security Act of 2017 (Public Law 115-68), the Secretary of Defense, in coordination with the Secretary of State, to incorporate gender perspectives and participation by women in security cooperation activities to the maximum extent practicable.

Extension of authority for support of special operations for irregular warfare (sec. 1207)

The Senate bill contained a provision (sec. 1201) that would extend for 5 years section 1202 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91).

The House amendment contained a similar provision (sec. 1208) that would extend for 3 years section 1202 of the National Defense Authorization Act for Fiscal Year 2018.

The Senate recedes.

Extension and modification of Commanders' Emergency Response Program and elimination of certain payments to redress injury and loss (sec. 1208)

The Senate bill contained a provision (sec. 1213) that would extend the authorization for the Commanders' Emergency Response Program in Afghanistan through December 31, 2020, and would authorize \$5.0 million for use during calendar year 2020.

The House amendment contained no similar provision.

The House recedes with an amendment that would authorize \$2.5 million for the Commanders' Emergency Response Program, and eliminate the authority for certain payments to redress injury

and loss in Afghanistan, Iraq, Syria, Somalia, Libya, and Yemen, which is addressed elsewhere in this act.

Two-year extension of program authority for Global Security Contingency Fund (sec. 1209)

The Senate bill contained a provision (sec. 1203) that would amend section 1207 of the National Defense Authorization Act for Fiscal Year 2012 (22 U.S.C. 2151) to extend for 2 years the funding for the Global Security Contingency Fund. The Senate bill contained another provision (sec. 6203) that would add an exception to the funds, allowing amounts appropriated and transferred to the Fund before September 30, 2019, to remain available for obligation and expenditure after that date, but only for programs under subsection (b).

The House amendment contained no similar provision.

The House recedes with a technical amendment.

Legal institutional capacity building initiative for foreign defense institutions (sec. 1210)

The Senate bill contained a provision (sec. 1205) that would authorize the Secretary of Defense to carry out, consistent with section 332 of title 10, United States Code, a program of legal institutional capacity building with one or more foreign countries to enhance the capacity to organize and administer the legal institutions of such country or countries.

The House amendment contained no similar provision.

The House recedes with an amendment that would modify the elements of the authorized initiative as well the annual reporting requirements.

Department of Defense support for stabilization activities in national security interest of the United States (sec. 1210A)

The Senate bill contained a provision (sec. 1206) that would authorize the Secretary of Defense, with the concurrence of the Secretary of State and in consultation with the Administrator of the United States Agency for International Development, to provide certain support for the stabilization activities of other Federal agencies.

The House amendment contained no similar provision.

The House recedes with an amendment that would modify the types and amounts of support authorized to be provided as well as the countries in which such support may be provided.



Modification of authority and limitation on use of funds to provide assistance to counter the Islamic State of Iraq and Syria (sec. 1221)

The Senate bill contained a provision (sec. 1222) that would extend the authority to provide assistance to counter the Islamic State of Iraq and Syria under section 1236 of the Carl Levin and Howard P. “Buck” National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291) through December 31, 2021, and provide \$645 million for use under the authority.

Additionally, the section would limit certain funds under this authority until the Secretary of Defense submits a report to the congressional defense committees.

The House amendment contained a provision (sec. 1221) that would provide \$663 million for use under the authority, modify existing report requirements, and make clarifying and technical corrections. Additionally, the provision would limit certain funds under this authority until the Secretary of Defense submits a report on the use of the authority and other matters.

The Senate recedes with an amendment that would extend the authority and modify associated reporting requirements.

The conferees note the importance of an all-of-government approach in securing the lasting defeat of the Islamic State of Iraq and Syria, extinguishing the drivers of future insurgency and instability, and advancing U.S. interests in Iraq. The conferees believe that non-military lines of effort must be appropriately resourced and staffed for the U.S. strategy for Iraq to be successful.

Extension and modification of authority to provide assistance to the vetted Syrian groups and individuals (sec. 1222)

The Senate bill contained a provision (sec. 1221) that would modify section 1209 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (FY 2015 NDAA (Public Law 113-291)) by extending the authority to provide assistance to vetted Syrian groups through 2020. The provision would additionally modify the authority to support the temporary detention and repatriation of Islamic State of Iraq and Syria (ISIS) foreign terrorist fighters in accordance with the Laws of Armed Conflict and Geneva Conventions. The provision would also expand certain reporting requirements.

The House amendment contained a provision (sec. 1222) that would extend and modify section 1209 of the FY 2015 NDAA by extending the authority to support vetted Syrian opposition through December 30, 2020.

The Senate recedes with an amendment that would modify the purposes of the authority. Further, the amendment would modify the notification before provision of assistance, the matters to be included in quarterly progress reports, the authority to accept contributions, and the limitation on the cost of construction and repair projects. Finally, the amendment would place a limitation on the obligation of funds pending submission of the first quarterly report.

Modification of authority to support operations and activities of the Office of Security Cooperation in Iraq (sec. 1223)

The Senate bill contained a provision (sec. 1223) that would extend the authorization for the Office of Security Cooperation in Iraq through fiscal year 2020 and would amend the Office's authority to support security cooperation activities in Iraq. The provision would reduce the funds available for this authority from \$45.3 million to \$30.0 million.

The House amendment contained a similar provision (sec. 1223) that would extend the authority for the Office of Security Cooperation in Iraq through fiscal year 2020. The provision would also limit the amount of authorized funds available to be obligated or expended to not more than 50 percent until the Secretary of Defense certifies that certain reforms are completed.

The Senate recedes with an amendment that would combine the two provisions and make technical edits.

The conferees note the challenges attendant in effective security cooperation and believe the Department should seek to staff security cooperation offices with more foreign area officers, particularly in the U.S. Central Command area of responsibility.

Future years plans and planning transparency for European Deterrence Initiative (sec. 1243)

The Senate bill contained a provision (sec. 1241) that would require the Secretary of Defense, in consultation with the Commander of the United States European Command, to submit to the congressional defense committees a future years plan on activities and resources of the European Deterrence Initiative (EDI) for fiscal year 2020 and not fewer than the 4 succeeding fiscal years.

The House amendment contained a provision (sec. 1252) that would require an annual "Future Years Plan" for EDI as previously required by section 1237(a) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91), and require the Department's budget request materials for EDI to include a display that clearly and concisely communicates to Congress, at an appropriate level of detail, which budget lines constitute EDI.

The House amendment also contained a provision (sec. 1253) that would require a congressional report for each obligation of EDI funds above a threshold of \$10.0 million and a report at the end of each fiscal year detailing how EDI funds were spent during the fiscal year in comparison to their intended uses.

The Senate recedes with an amendment that would require the Secretary of Defense to submit to the congressional defense committees a future years plan on activities and resources of EDI for fiscal year 2020 and not fewer than the 4 succeeding fiscal years. The amendment would also require, not later than the date on which the Secretary of Defense submits to Congress the budget request for the Department of Defense for fiscal year 2021 and each fiscal year after thereafter, the Secretary to submit to the congressional defense committees a future years



plan on activities and resources of EDI for such fiscal year and not fewer than the four succeeding fiscal years. The amendment

would also require an annual report on the obligation of EDI funds in a given fiscal year.

#### Modification and extension of Ukraine Security Assistance Initiative (sec. 1244)

The Senate bill contained a provision (sec. 1234) that would extend through December 31, 2022, the authority under section 1250 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92), as amended by section 1246 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232), for the Secretary of Defense, with the concurrence of the Secretary of State, to provide security assistance, including defensive lethal assistance, and intelligence support to military and other

security forces of the Government of Ukraine. The provision would also add coastal defense cruise missiles and anti-ship missiles to the categories of appropriate security assistance and intelligence support. The provision would authorize up to \$300.0 million in fiscal year 2020 to provide security assistance to Ukraine, of which \$100.0 million would be available only for lethal assistance.

The House amendment contained a similar provision that would authorize \$250.0 million for the Ukraine Security Assistance Initiative. The provision would also require concurrence by the Secretary of State in the provision of assistance.

The Senate recedes with an amendment that would authorize \$300.0 million for the Ukraine Security Assistance Initiative, of which \$50.0 million would be available only for lethal assistance. The amendment would add coastal defense cruise missiles and anti-ship missiles to the categories of appropriate security assistance and intelligence support. The amendment would also require concurrence by the Secretary of State in the provision of assistance and extend the authority to December 31, 2022.

#### Baltic defense assessment; extension and modification of security assistance for Baltic countries for joint program for interoperability and deterrence against aggression (sec. 1246)

The Senate bill contained a provision (sec. 1238) that would amend section 1279D of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91) by modifying and extending the authority of the Secretary of Defense, with the concurrence of the Secretary of State, to conduct or support a single joint program of the Baltic nations to improve interoperability and build their capacity to deter and resist aggression by the Russian Federation. The provision would modify the authority by: adding command, control, communications, computers, intelligence, surveillance, and reconnaissance equipment to defense articles and

services eligible for a joint program; increasing the total amount of assistance that may be provided under the authority to \$125.0 million; requiring that

the amount of assistance provided may not exceed the aggregate amount contributed to the joint program by the Baltic nations; and extending the date of termination of the authority to December 31, 2022. The House amendment contained a similar provision (sec. 1260B) that would modify and extend the authority by: adding intelligence, surveillance, and reconnaissance equipment to defense articles and services

eligible for a joint program, increasing the amount of assistance to \$125.0 million; extending the date to December 31, 2021; and requiring a report on the use of funding.

The House amendment also contained provisions (secs. 1271-1274) that would establish findings with regard to the Baltic nations; express the sense of the Congress that the United States is committed to the security of the Baltic nations; and require the Secretary of Defense and Secretary of State to jointly conduct an assessment of the military requirements of the Baltic countries to deter and resist aggression by Russia and to submit a report related to such assessment.

The Senate recedes with an amendment that would combine both the Senate and House sections to extend and modify the authority to conduct or support a single joint program of the Baltic nations. The amendment would also require the defense assessment as provided in the House amendment.

Extension of authority for and report on training for Eastern European national security forces in the course of multilateral exercises (sec. 1247)

The Senate bill contained a provision (sec. 1235) that would extend through December 31, 2022, the authority provided in section 1251 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92), as amended by section 1205 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91), for the Secretary of Defense, with the concurrence of the Secretary of State, to provide multilateral or regional training, and pay the incremental expenses of participating in such training, for countries in Eastern Europe

that are signatories to the Partnership for Peace Framework Documents but not members of the North Atlantic Treaty Organization (NATO) or that became NATO members after January 1, 1999.

The House amendment contained no similar provision.

The House recedes with an amendment that would extend the authority for training Eastern European national security forces in the course of multilateral exercises through December 31, 2021. Not later than 180 days after the date of the enactment of this Act, the amendment would

require the Secretary of Defense, in consultation with the Commander of United States European Command, to submit to the congressional defense committees a report on the authority.

#### Modification of Indo-Pacific Maritime Security Initiative (sec. 1251)

The House amendment contained a provision (sec. 1241) that would modify the authority for the Indo-Pacific Maritime Security Initiative to include additional elements of assistance and training, require additional information for congressional notifications, mandate an annual report, and incorporate an assessment, monitoring, and evaluation program. The provision would also require a one-time report on the initiative.

The Senate bill contained no similar provision.

The Senate recedes with an amendment that would, among other modifications, make clarifying changes to the required annual report on the initiative and strike the requirement for a one-time report. The conferees note that units to receive assistance under the Indo-Pacific Maritime Security Initiative undergo required “Leahy Law” human rights vetting before such assistance is provided.

#### Expansion of Indo-Pacific Maritime Security Initiative and limitation on use of funds (sec. 1252)

The Senate bill contained a provision (sec. 1252) that would modify section 1263(b) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92) to include as recipient countries for assistance and training under the Indo-Pacific Maritime Security Initiative the following: the Federated States of Micronesia, the Kingdom of Tonga, Papua New Guinea, the Republic of Fiji, the Republic of the Marshall

Islands, the Republic of Palau, the Republic of Vanuatu, and the Solomon Islands.

The House amendment contained a provision (sec. 1250A) that would require a report on the current status of security cooperation and assistance with Pacific Island countries and the feasibility of expanding such cooperation and assistance.

The House recedes with an amendment that would include the following as recipient countries under in the initiative: the Federated States of Micronesia, the Independent State of Samoa, the Kingdom of Tonga, Papua New Guinea, the Republic of Fiji, the Republic of Kiribati, the Republic of the Marshall Islands, the Republic of Nauru, the Republic of Palau, the Republic of Vanuatu, and the Solomon Islands, and Tuvalu. The amendment would also provide that none of the funds authorized to be appropriated for the initiative shall be used to provide

training or assistance to the additional recipient countries until the Secretary of Defense, with the concurrence of the Secretary of State, submits to the appropriate congressional committees a report regarding security cooperation and assistance with such countries.

Reports and briefings on use of military force and support of partner forces (sec. 1285) The House amendment contained a provision (sec. 1270V) that would require the President not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, to submit to the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives a report on specific actions taken pursuant to the Authorization for Use of Military Force (Public Law 107-40; 50 U.S.C. 1541 et seq.) and support for partner forces against those nations or organizations described in such law, during the preceding 180-day period.

The Senate bill contained no similar provision.

The Senate recedes with an amendment that would require the President not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, to submit to the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives a report on actions taken pursuant to the Authorization for Use of Military Force (Public Law 107-40) against those countries or organizations described in such law, as well as any actions taken to command, coordinate, participate in the movement of, or accompany the regular or irregular military forces of any foreign country or government when such forces are engaged in hostilities or in situations where imminent involvement in hostilities is clearly indicated by the circumstances, during the preceding 180-day period.

Training for participants in professional military education programs

The House amendment contained a provision (sec. 1210) that would require any foreign person participating in professional military education to participate in human rights training.

The Senate bill contained no similar provision.

The House recedes.

The conferees note that every year numerous students from foreign militaries participate in professional military education provided and funded by the United States. These courses should be viewed as a valuable opportunity to foster an appreciation of human rights and the rule of law. The conferees are aware that foreign students in professional military education programs participate in the Department of Defense

Field Studies Program, which includes instruction in human rights and law of war, among other topics. The Secretary of Defense is encouraged to continue providing human rights training as a key component of professional military education.

Report on relationship between Lebanese armed forces and Hizballah

The House amendment contained a provision (sec. 1270Q) that would require, not later than 90 days after the enactment of this Act, the President to submit a report identifying personnel with influence over the Lebanese Armed Forces who are influenced by Hizballah and describing military activities conducted by the Lebanese Armed Forces to disarm Hizballah.

The Senate bill contained no similar provision.

The House recedes.

The conferees direct the Secretary of Defense to submit a report to the congressional defense committees within 180 days after the date of the enactment of this Act that, at a minimum, assesses whether Hizballah exerts influence over the Lebanese Armed Forces, describes the nature of the Lebanese Armed Forces' communication and interaction with Hizballah, details U.S. and other international efforts to build the capacity of the Lebanese Armed Forces to provide for the security and stability of Lebanon, and outlines efforts by the Lebanese Armed Forces to maintain accountability for U.S.-provided equipment. The report may contain a classified annex if necessary.

USML Cats 1-3

Transfer of certain items included in categories I, II, and III of the United States Munitions List to the Commerce Control List

The House amendment contained a provision (sec. 1050) that would prohibit the President from removing from the United States Munitions List any item that was included in category I, II, or III of the United States Munitions List, as in effect on August 31, 2017.

Senate bill contained no similar provision.

The House recedes.

## Burden Sharing & Agreements

Report on financial costs of overseas United States military posture and operations

The House amendment contained a provision (sec. 1079) that would require the Secretary of Defense to submit a report to the congressional defense committees on the financial costs of U.S. military posture and operations overseas.

The Senate bill contained no similar provision.

The House recedes.

The conferees note that the Department of Defense currently provides an annual budget exhibit that describes the country-by-country costs of maintaining overseas posture, which estimated worldwide posture costs of just over \$24.0 billion in fiscal year 2019. However, the exhibit excludes considerable costs such as those borne in overseas contingency accounts and does not account for host nation contributions, either cash or in-kind, or contributions from the North Atlantic Treaty Organization (NATO).

Therefore, the conferees direct the Secretary of Defense to submit a comprehensive report with the budget submission, or not later than February 15, 2020, to the congressional defense committees on the actual costs of maintaining the overseas posture and presence of the U.S. Armed Forces in fiscal year 2019. The report should address the financial costs incurred by the United States, as well as financial and in-kind contributions made by host-countries and multilateral organizations like NATO, related to overseas enduring and contingency infrastructure and the presence of permanent and rotational U.S. Armed Forces.

Additionally, the conferees direct the Comptroller General of the United States to review the Department's report to determine whether it accurately captures the full costs of overseas posture and host nation contributions and to submit a report to the congressional defense committees not later than 180 days after the Department's report is submitted to the committees.

Modifications of authorities relating to acquisition and crossservicing agreements (sec. 1203)

The Senate bill contained a provision (sec. 1282) that would amend section 2342 of title 10, United States Code relating to acquisition and cross-servicing agreements (ACSA). Specifically, the provision would include new requirements for reimbursement for cost of logistic support, supplies, and services pursuant to such section. The provision would also add new requirements for designation of a non-NATO country under

such section by the Secretary of Defense as well as add new oversight and monitoring responsibilities to the Under Secretary of Defense for Policy and to the Director of the Defense Security Cooperation Agency. The provision would also require the Secretary to prescribe regulations regarding ACSA and direct the Comptroller General of the United States to conduct a review of the implementation by the Secretary of such regulations. Lastly, the provision would modify the annual reporting requirements required under such section.



The House amendment contained no similar provision.

The House recedes with an amendment that clarifies the requirements in section 2342 of title 10, United States Code for designation of a non-NATO country under such section by the Secretary of Defense. Further, the amendment adds a requirement for the Secretary to designate an existing senior civilian or military official with primary responsibility for oversight and management of ACSA. Lastly, the provision clarifies the annual reporting requirements required under such section.

Republic of Korea funded construction projects (sec. 2511)

The Senate bill contained a provision (sec. 2511) that would authorize the Secretary of Defense to accept four military construction projects totaling \$542.2 million from the Republic of Korea as in-kind contributions. The House amendment contained a similar provision (sec. 2511).

The Senate recedes.

Limitation on use of funds to reduce the total number of members of the Armed Forces serving on active duty who are deployed to South Korea (sec. 1254)

The Senate bill contained a provision (sec. 1251) that would prohibit the use of funds authorized to be appropriated by this Act to reduce the total number of members of the Armed Forces in the territory of the Republic of Korea (ROK) below 28,500 until 90 days after the date on which the Secretary of Defense certifies to the congressional defense committees that: such a reduction is in the national security interests of the United States and will not significantly undermine the security of United States allies in the region; such a reduction is commensurate with a reduction in the threat posed to the security of the United States and its allies in the region by the conventional military forces of the Democratic People's Republic of Korea (DPRK); and the Secretary has appropriately consulted with allies of the United States, including the ROK and Japan, regarding such a reduction.

The House amendment contained a similar provision (sec. 1243) that would prohibit the use of funds authorized to be appropriated by this Act to reduce the number of members of the Armed Forces serving on Active Duty in the Republic of Korea below 28,500 unless the Secretary of Defense first provides certification to the congressional defense committees that such a reduction is in the national security interest of the United States and will not significantly undermine the security of the United States' allies in the region.

The Senate recedes with an amendment that would prohibit funds authorized to be appropriated by this Act to be used to reduce the total number of members of the Armed Forces serving Active Duty who are deployed to South Korea below 28,500 until 90 days after the date on which the Secretary of Defense certified to the congressional defense committees the following: such a reduction is in the national security interest of the United States and will not significantly undermine the security of United States allies in the region; and the Secretary has

appropriately consulted with allies of the United States, including South Korea and Japan, regarding such a reduction. The conferees recognize that United States military forces deployed on the Korean Peninsula remain vital to deterring, and if necessary, defeating aggression by the Democratic People's Republic of Korea, which continues to threaten the national security interests of the United States and the peace and stability of the Indo-Pacific region through both its conventional forces and weapons of mass destruction. While the conferees support diplomatic efforts to achieve the complete and fully verified denuclearization of the Democratic People's Republic of Korea, the conferees believe the removal of United States military forces from the Korean Peninsula is a nonnegotiable item in such negotiations.

Report on direct, indirect, and burden-sharing contributions of Japan and South Korea (sec. 1255)

The House amendment contained a provision (sec. 1244) that would require the Secretary of Defense to provide a report to the congressional defense committees, Senate Committee on Foreign Relations, and House Committee on Foreign Affairs, not later than March 1, 2020, and March 1, 2021, on the direct, indirect, and burden-sharing contributions of Japan and South Korea to support overseas military installations of the United States and U.S. Armed Forces deployed to or permanently stationed in Japan and South Korea.

The Senate bill contained no similar provision.

The Senate recesses with an amendment that, among other changes clarifying the process of preparing and delivering the aforementioned report, would require the Comptroller General of the United States to provide the report to the congressional committees described.

The conferees note that Japan and the Republic of Korea have made significant contributions to common security, including through direct, indirect, and burden-sharing contributions. Therefore, the conferees believe that upcoming negotiations concerning new Special Measures Agreements with Japan and the Republic of Korea should be conducted in a spirit consistent with prior negotiations on the basis of common interest and mutual respect.

Sense of Senate on the United States-Japan alliance and defense cooperation

The Senate bill contained a provision (sec. 1256) that would express the sense of the Senate concerning the United States-Japan alliance and opportunities for enhancing defense cooperation.

The House amendment contained no similar provision.

The Senate recesses.

The conferees underscore that the United States-Japan alliance remains the cornerstone of peace and security for a free and open Indo-Pacific region. The conferees also recognize that the



Government of Japan has made among the most significant “burden sharing” contributions of any United States ally, including through direct cost sharing, paying for the realignment of United States forces currently stationed in Okinawa, community support, and other alliance-related expenditures.

## Gulf Arms Sales

Prohibition on export of air to ground munitions, related components and parts of such munitions, and related services to Saudi Arabia and the United Arab Emirates

The House amendment contained a provision (sec. 1099X) that would prohibit, for the one-year period beginning on the date of the enactment of this Act, the President from issuing any license, and require the President to suspend any license or other approval for the export to the Government of Saudi Arabia or the Government of the United Arab Emirates any air to ground munitions, components, or related services.

The Senate bill contained no similar provision.

The House recesses.

Prohibition on in-flight refueling to non-United States aircraft that engage in hostilities in the ongoing civil war in Yemen  
(sec. 1273)

The House amendment contained a provision (sec. 1270N) that would prohibit, for the two-year period beginning on the date of the enactment of this Act, in-flight fueling by the Department of Defense to non-United States aircraft engaged in hostilities in the ongoing civil war in Yemen unless and until a declaration of war or a specific statutory authorization has been enacted.

The Senate bill contained no similar provision.

The Senate recesses.

Report on Saudi led coalition strikes in Yemen (sec. 1274)

The House amendment contained a provision (sec. 1270M) that would require, not later than 90 days after the enactment of this Act and annually thereafter, the Secretary of Defense, in consultation with the Secretary of State, to submit a report detailing the number of civilian casualties caused by the Saudi led coalition in Yemen, including an assessment of the coalition members’ willingness and ability to prevent civilian casualties.

The Senate bill contained no similar provision.

The Senate recedes with a clarifying amendment.

Reports on expenses incurred for in-flight refueling of Saudi coalition aircraft conducting missions relating to civil war in Yemen (sec. 1275)

The Senate bill contained a provision (sec. 1288) that would mandate a report detailing the expenses incurred by the United States in providing in-flight refueling services for Saudi or Saudi-led coalition non-United States aircraft conducting missions as part of the civil war in Yemen from March 1, 2015, to November 11, 2018, and the extent to which such expenses have been reimbursed by members of the Saudi-led

coalition.

The House amendment contained no similar provision.

The House recedes.

Report on Saudi Arabia's human rights record (sec. 1276)

The House amendment contained a provision (sec. 1296B) that would require not later than 30 days after the enactment of this Act, the Secretary of State, in accordance with section 502B(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2304(c)), to submit to the appropriate congressional committees a report on the protection of human rights within Saudi Arabia.

The Senate bill contained no similar provision.

The Senate recedes with a clarifying amendment.

Report on intelligence community assessment relating to the killing of Washington Post columnist Jamal Khashoggi (sec. 1277) The House amendment contained a provision (sec. 1296) that would require, not later than 30 days after the date of the enactment of this Act, the Director of National Intelligence to submit a report to the appropriate congressional committees detailing intelligence findings regarding the October 2018 killing of Saudi columnist Jamal Khashoggi.

The Senate bill contained no similar provision.

The Senate recedes.

Restriction on emergency authority relating to arms sales under the Arms Export Control Act

The House amendment contained a provision (sec. 1270) that would amend section 36 of the Arms Export Control Act (22 U.S.C. 2776) by modifying a restriction on emergency authority requiring the President to consult with appropriate congressional committees not later than 3 days after the determination and submit further certifications to Congress. The modifications would also require the delivery of defense

articles within 90 days of the issuance of the emergency determination and the submittal of a report to Congress not later than 30 days after the delivery of defense articles. Further, the waiver of congressional review would not apply to begin manufacturing or co-production of articles outside the United States.

The Senate bill contained no similar provision.

The House recedes.

Prohibition on the use of emergency authorities for the sale or transfer of defense articles and services to Saudi Arabia and the United Arab Emirates

The House amendment contained a provision (sec. 1270G) that would prohibit the use of funds authorized to be appropriated or otherwise made available by this or any other Act to process a commercial or foreign military sale, or to transfer, deliver, or facilitate the transfer or delivery, of any defense article or service to Saudi Arabia or the United Arab Emirates pursuant to any certification of emergency circumstances submitted in accordance with section 36(b) of the Armed Export Control Act (22 U.S.C. 2776(b)).

The Senate bill contained no similar provision.

The House recedes.

Prohibition on support for military participation against the Houthis

The House amendment contained a provision (sec. 1270H) that would prohibit the use of funds authorized or otherwise made available by this Act to provide intelligence for the purpose of strikes or logistical support for coalition strikes to the Saudi-led coalitions operations against the Houthis in Yemen.

The Senate bill contained no similar provision.

The House recedes.

## Miscellaneous

Repeal of Authorization for the Use of Military Force

The House amendment contained a provision (sec. 1270W) that would repeal the Authorization for Use of Military Force Against Iraq Resolution of 2002 (Public Law 107-243; 50 U.S.C. 1541 note).

The Senate bill contained no similar provision.

The House recedes.

United States-Israel cooperation to counter unmanned aerial systems (sec. 1278)

The Senate bill contained a provision (sec. 1284) that would authorize the Secretary of Defense to carry out joint research, development, test, and evaluation to establish capabilities for countering unmanned aerial systems (C-UAS) that threaten the United States or Israel.

The House amendment contained no similar provision.

The House recesses.

North Atlantic Treaty Organization Joint Force Command (sec. 1249)

The Senate bill contained a provision (sec. 6213) that would authorize the establishment of, and participation of members of the armed forces in, the North Atlantic Treaty Organization Joint Force Command, including the use of Department of Defense facilities and equipment as well as funds authorized to be appropriated to the Department of Defense for fiscal year 2020.

The House amendment contained no similar provision.

The House recesses with an amendment that would make available amounts authorized to be appropriated to the Department of Defense to support the North Atlantic Treaty Organization Joint Force Command to be established in the United States.

Repeal of prohibition on transfer of articles on the United States Munitions List to the Republic of Cyprus (sec. 1250A)

The Senate bill contained a provision (sec. 6204) that would, among other things, make a series of changes to allow for the export, re-export, and the transfer of defense articles and defense services, including those subject to the United States Munitions List, to the Republic of Cyprus if the President determines and certifies to the appropriate congressional committees not less than annually that: the Government of the Republic of Cyprus is continuing to cooperate with the United States Government in efforts to implement reforms on anti-money laundering regulations and financial regulatory oversight; and the Government of the Republic of Cyprus has made and is continuing to take the steps necessary to deny Russian military vessels access to ports for refueling and servicing.

The House amendment contained a similar provision (sec. 1270I).

The House recesses with an amendment that would express the sense of Congress that: allowing for the export, re-export or transfer of arms subject to the United States Munitions List to the Republic of Cyprus would advance United States security interests in Europe by helping to reduce the dependence of the Government of the Republic of Cyprus on other countries, including countries that pose challenges to United States interests around the world, for defense-

related materiel; and it is in the interest of the United States to continue to support United Nations-facilitated efforts toward a comprehensive solution to the division of Cyprus.

Report on security cooperation with the Philippine National Police (sec. 1259)

The House amendment contained a provision (sec. 1245) that would require the Secretary of Defense, in consultation with the Secretary of State, to provide a report to the congressional defense committees, Senate Committee on Foreign Relations, and House Committee on Foreign Affairs, not later than 120 days after the date of the enactment of this Act on the Department of Defense's objectives and strategy for achieving such objectives for the Philippines.

The Senate bill contained no similar provision.

The Senate recedes with an amendment that would require, not later than 150 days after the date of the enactment of this Act, the Secretary of Defense, in concurrence with the Secretary of State, to submit to the appropriate congressional committees a report concerning security sector assistance programs with the Philippine National Police.

Report on foreign military activities in Pacific Island countries (sec. 1260A)

The House amendment contained a provision (sec. 1250B) that would require, not later than 120 days after the date of the enactment of this Act, the Under Secretary of Defense for Intelligence, in coordination with the Director of the Defense Intelligence Agency and the Director of National Intelligence, to submit to the congressional defense committees a report concerning foreign military activities in Pacific Island

countries. The Senate bill contained no similar provision. The Senate recedes.

Report on export of certain satellites to entities with certain beneficial ownership status (sec. 1283)

The Senate bill contained a provision (sec. 6207) that would require a report on addressing the threat posed by the export, reexport, or in-country transfer of certain satellites to certain entities.

The House amendment contained no similar provision.

The House recedes with a technical/clarifying amendment.

## Russia/China

Report on military activities of the Russian Federation and the People's Republic of China in the Arctic region (sec. 1238)

The Senate bill contained a provision (sec. 6214) that would require not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State and the Director of National Intelligence, to submit to the appropriate congressional committees a report on the activities of the Russian Federation and the People's Republic of China in the Arctic region.

The House amendment contained no similar provision.

The House recedes with an amendment containing technical clarifications.

Updated strategy to counter the threat of malign influence by the Russian Federation and other countries (sec. 1239)

The Senate bill contained a provision (sec. 6216) that would require the Secretary of Defense and the Secretary of State to jointly update the comprehensive strategy to counter the threat of malign influence developed pursuant to section 1239A of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91; 131 Stat. 1667) and to submit a report detailing the updated strategy to the appropriate congressional committees not later than 180 days after the date of the enactment of this Act.

The House amendment contained no similar provision.

The House recedes.

Prohibition on the use of funds to suspend, terminate, or provide notice of denunciation of the North Atlantic Treaty (sec. 1242)

The Senate bill contained a provision (sec. 1232) that would prohibit funds authorized to be appropriated by this Act to be obligated, expended, or reprogrammed for the withdrawal of the United States Armed Forces from Europe during the 1-year period beginning on the date that the President should ever provide notice of withdrawal of the United States from the North Atlantic Treaty, done at Washington, D.C. on April 4, 1949, pursuant to Article 13 of the treaty.

The House amendment contained a similar provision (sec. 1260A) that would make a series of findings related to the North Atlantic Treaty Organization (NATO), state the policy of the United States with respect to NATO, and prohibit funds authorized to be appropriated, obligated, or expended to take any action to withdraw the United States from the North Atlantic Treaty, done at Washington, D.C. on April 4, 1949.

The Senate recedes with an amendment that would provide that, notwithstanding any other provision of law, no funds may be obligated, expended, or otherwise made available during the

period beginning on the date of enactment of this Act and ending on December 31, 2020, to take any action to suspend, terminate, or provide notice of denunciation of the North Atlantic Treaty, done at Washington, D.C. on April 4, 1949. The conferees strongly support membership in NATO, the most successful military alliance in history, as a cornerstone of the security and national defense of the United States. The conferees affirm the ironclad commitment of the United States to uphold its obligations under the North Atlantic Treaty, including under Article 5 of such treaty. Therefore, the conferees oppose in the strongest possible terms any action to effectuate withdrawal of the United States from NATO, including suspension, termination, or denunciation of the North Atlantic Treaty.

#### FMS

Review and report on use and management of administrative surcharges under the foreign military sales program

The House amendment contained a provision (sec. 1283) that would require the Secretary of Defense, acting through the Director of the Defense Security Cooperation Agency, to review



options for expanding the use of administrative surcharges under the foreign military sales program. The provision would also require, not later than 120 days after the date of the enactment of this Act, the Secretary of Defense, acting through the Director of the Defense Security Cooperation Agency, submit a report on the findings of the review and any legislative changes

needed.

The Senate bill contained no similar provision.

The House recedes.

Certification relating to assistance for Guatemala (sec. 1267)

The House amendment contained a provision (sec. 1270S) that would prohibit the use of funds authorized to be appropriated or otherwise made available to transfer or purchase vehicles for any joint task force including the Ministry of Defense or the Ministry of the Interior of Guatemala unless the Secretary of Defense certifies that such ministries have made a credible commitment to use such equipment solely for the purposes intended.

The Senate bill contained no similar provision.

The Senate recedes with an amendment that would require that prior to the transfer of vehicles by the Department of Defense to a joint task force of the Ministry of Defense or the Ministry of Interior of Guatemala during fiscal year 2020, the Secretary of Defense must certify to the appropriate congressional committees that such ministries have made a credible commitment to use such equipment only for the uses for which they were intended.

Briefing on strategy to improve the efforts of the Nigerian military to prevent, mitigate, and respond to civilian harm (sec. 1269)

The House amendment contained a provision (sec. 1270E) that would require, not later than 180 days after the date of the enactment of this Act, the President to submit to the appropriate congressional committees a report on plans to assist the Nigerian military in improving its efforts to prevent, mitigate, and respond to civilian harm arising from its military presence and operations. The provision would also require the President to provide annual updates on progress made with respect to the plan contained in such report.

The Senate bill contained no similar provision.

The Senate recedes with an amendment that would require not later than 180 days after the date of enactment of this Act the Secretary of Defense and the Secretary of State to jointly provide a briefing to specified congressional committees on the current strategy to improve defense institutions and security sector forces in Nigeria. The conferees expect the briefing to discuss



steps, if any, that the Departments are taking to increase the ability of the Nigerian military to minimize civilian harm when using equipment provided by the United States, to include the A-29 Super Tucano and related munitions.

Performance measures to monitor foreign military sales program

The House amendment contained a provision (sec. 1284) that would direct the Secretary of Defense, acting through the Director of the Defense Security Cooperation Agency (DSCA) and in consultation with the heads of other relevant components of the Department of Defense (DOD), to enhance the ability of the DOD to monitor the foreign military sales program. The provision would also require, not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, acting through the Director of the DSCA, to submit a report on plans to enhance the ability of DOD to monitor foreign military sales program performance. The provision would then direct the Comptroller General to provide a briefing on that report within 180 days of its submission.

The Senate bill contained no similar provision.

The House recedes.

Report and briefing on administrative budgeting of foreign military sales program

The House amendment contained a provision (sec. 1285) that would require, not later than one year after the date of the enactment of this Act, the Comptroller General of the United States to brief the congressional defense committees and submit a report on the methodology used by the Department of Defense to determine future-year needs for administrative surcharges under the foreign military sales program.

The Senate bill contained no similar provision.

The House recedes.

Training program for relevant officials and staff of the Defense Security Cooperation Agency

The House amendment contained a provision (sec. 1286) that would direct the Secretary of Defense, acting through the Director of the Defense Security Cooperation Agency, to establish and implement a training program for specified officials and staff related to the foreign military sales program.

The Senate bill contained no similar provision.

The House recesses.

## Message

**From:** Khawam, Joseph N [KhawamJN@state.gov]  
**Sent:** 12/10/2019 2:00:14 PM  
**To:** Abraham, Liz (LABraham@doc.gov) [LABraham@doc.gov]  
**Subject:** RE: PM Highlights in the FY20 NDAA

One quick note – please don't forward on the Word document. That is PM work product. The PDF (Conference Report) is public. Sorry about that.

Joseph N. Khawam  
 Office of the Legal Adviser (L/PM)

SENSITIVE BUT UNCLASSIFIED

**From:** Khawam, Joseph N  
**Sent:** Tuesday, December 10, 2019 8:55 AM  
**To:** Abraham, Liz (LABraham@doc.gov) <LABraham@doc.gov>  
**Subject:** FW: PM Highlights in the FY20 NDAA

FYI

*Transfer of certain items included in categories I, II, and III of the United States Munitions List to the Commerce Control List*  
 The House amendment contained a provision (sec. 1050) that would prohibit the President from removing from the United States Munitions List any item that was included in category I, II, or III of the United States Munitions List, as in effect on August 31, 2017.  
 Senate bill contained no similar provision.  
 The House recedes.

Joseph N. Khawam  
 Office of the Legal Adviser (L/PM)

SENSITIVE BUT UNCLASSIFIED

**From:** Paul, Joshua M <PaulJM@state.gov>  
**Sent:** Tuesday, December 10, 2019 8:49 AM  
**To:** PM-All-Users <PM-All-Users@state.gov>  
**Cc:** Goulding, Tamara D <GouldingTD@state.gov>  
**Subject:** PM Highlights in the FY20 NDAA

---

**Josh Paul**

Director, Congressional & Public Affairs  
 Bureau of Political-Military Affairs (PM/CPA)  
 U.S. Department of State

☎ Phone: 202.647.7878 | ① BlackBerry: [REDACTED] ☎ Fax: 202.647.4055

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🐦 <http://twitter.com/StateDeptPM>

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SENSITIVE BUT UNCLASSIFIED

## Message

**From:** Khawam, Joseph N [KhawamJN@state.gov]  
**Sent:** 12/10/2019 4:43:11 PM  
**To:** Nightingale, Robert L [NightingaleRL@state.gov]; Dorosin, Joshua L [DorosinJL@state.gov]  
**CC:** Kovar, Jeffrey D [KovarJD@state.gov]  
**Subject:** RE: USML Cats I-III Transfer AM Package for Clearance  
**Attachments:** FW: CAT I-III Update

Thanks, Josh. Also a heads up that A/S Ford (T) has requested a briefing on Cats I-III at 8:30 am tomorrow (please see email attached). I plan to attend, but also wanted to let you know in case you're interested.

Joseph N. Khawam  
 Office of the Legal Adviser (L/PM)

## SBU - LEGAL

**From:** Nightingale, Robert L <NightingaleRL@state.gov>  
**Sent:** Tuesday, December 10, 2019 11:09 AM  
**To:** Dorosin, Joshua L <DorosinJL@state.gov>; Kottmyer, Alice M <KottmyerAM@state.gov>; Khawam, Joseph N <KhawamJN@state.gov>; Kovar, Jeffrey D <KovarJD@state.gov>; Pompian, Shawn M <PompianSM@state.gov>; Padgett, Katherine P <PadgettKP@state.gov>  
**Cc:** Minarich, Christine M <MinarichCM@state.gov>; Jones, Elisabeth B <JonesEB@state.gov>  
**Subject:** RE: USML Cats I-III Transfer AM Package for Clearance

Yes, we'll put something on the calendar.

## SBU - LEGAL

**From:** Dorosin, Joshua L <DorosinJL@state.gov>  
**Sent:** Tuesday, December 10, 2019 11:08 AM  
**To:** Kottmyer, Alice M <KottmyerAM@state.gov>; Khawam, Joseph N <KhawamJN@state.gov>; Kovar, Jeffrey D <KovarJD@state.gov>; Pompian, Shawn M <PompianSM@state.gov>; Padgett, Katherine P <PadgettKP@state.gov>; Nightingale, Robert L <NightingaleRL@state.gov>  
**Cc:** Minarich, Christine M <MinarichCM@state.gov>; Jones, Elisabeth B <JonesEB@state.gov>  
**Subject:** RE: USML Cats I-III Transfer AM Package for Clearance

Joe – I'm going to begin reviewing the package now and want to make sure that Marik is at least briefed on this before we provide a final L clearance.

Robby – Can you and Joe find a time on the calendar for Marik to be briefed?

Thanks, Josh

## SBU - LEGAL

**From:** Kottmyer, Alice M <KottmyerAM@state.gov>  
**Sent:** Monday, December 9, 2019 5:11 PM  
**To:** Khawam, Joseph N <KhawamJN@state.gov>; Dorosin, Joshua L <DorosinJL@state.gov>; Kovar, Jeffrey D <KovarJD@state.gov>; Pompian, Shawn M <PompianSM@state.gov>; Padgett, Katherine P <PadgettKP@state.gov>; Nightingale, Robert L <NightingaleRL@state.gov>

**Cc:** Minarich, Christine M <[MinarichCM@state.gov](mailto:MinarichCM@state.gov)>; Jones, Elisabeth B <[JonesEB@state.gov](mailto:JonesEB@state.gov)>; Kottmyer, Alice M <[KottmyerAM@state.gov](mailto:KottmyerAM@state.gov)>

**Subject:** RE: USML Cats I-III Transfer AM Package for Clearance

[REDACTED]

SBU - LEGAL

**From:** Khawam, Joseph N <[KhawamJN@state.gov](mailto:KhawamJN@state.gov)>

**Sent:** Monday, December 9, 2019 5:06 PM

**To:** Kottmyer, Alice M <[KottmyerAM@state.gov](mailto:KottmyerAM@state.gov)>; Dorosin, Joshua L <[DorosinJL@state.gov](mailto:DorosinJL@state.gov)>; Kovar, Jeffrey D <[KovarJD@state.gov](mailto:KovarJD@state.gov)>; Pompian, Shawn M <[PompianSM@state.gov](mailto:PompianSM@state.gov)>; Padgett, Katherine P <[PadgettKP@state.gov](mailto:PadgettKP@state.gov)>; Nightingale, Robert L <[NightingaleRL@state.gov](mailto:NightingaleRL@state.gov)>

**Cc:** Minarich, Christine M <[MinarichCM@state.gov](mailto:MinarichCM@state.gov)>; Jones, Elisabeth B <[JonesEB@state.gov](mailto:JonesEB@state.gov)>

**Subject:** RE: USML Cats I-III Transfer AM Package for Clearance

Thanks, Alice. I'll pass this along to DDTC.

Joseph N. Khawam  
Office of the Legal Adviser (L/PM)

SBU - LEGAL

**From:** Kottmyer, Alice M <[KottmyerAM@state.gov](mailto:KottmyerAM@state.gov)>

**Sent:** Monday, December 9, 2019 4:56 PM

**To:** Khawam, Joseph N <[KhawamJN@state.gov](mailto:KhawamJN@state.gov)>; Dorosin, Joshua L <[DorosinJL@state.gov](mailto:DorosinJL@state.gov)>; Kovar, Jeffrey D <[KovarJD@state.gov](mailto:KovarJD@state.gov)>; Pompian, Shawn M <[PompianSM@state.gov](mailto:PompianSM@state.gov)>; Padgett, Katherine P <[PadgettKP@state.gov](mailto:PadgettKP@state.gov)>; Nightingale, Robert L <[NightingaleRL@state.gov](mailto:NightingaleRL@state.gov)>

**Cc:** Minarich, Christine M <[MinarichCM@state.gov](mailto:MinarichCM@state.gov)>; Jones, Elisabeth B <[JonesEB@state.gov](mailto:JonesEB@state.gov)>; Kottmyer, Alice M <[KottmyerAM@state.gov](mailto:KottmyerAM@state.gov)>

**Subject:** RE: USML Cats I-III Transfer AM Package for Clearance

Joe,

[REDACTED]

[REDACTED]

Thanks  
Alice

SBU - LEGAL

**From:** Khawam, Joseph N <[KhawamJN@state.gov](mailto:KhawamJN@state.gov)>

**Sent:** Monday, December 9, 2019 1:35 PM

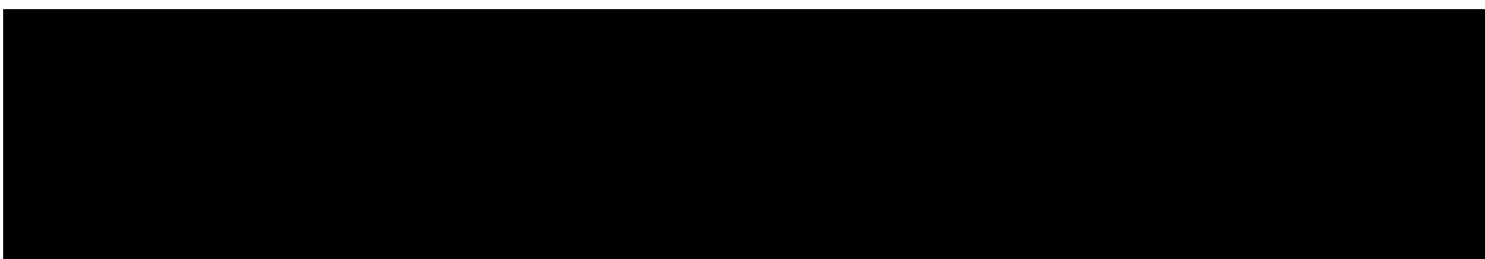

**To:** Dorosin, Joshua L <[DorosinJL@state.gov](mailto:DorosinJL@state.gov)>; Kovar, Jeffrey D <[KovarJD@state.gov](mailto:KovarJD@state.gov)>; Pompian, Shawn M <[PompianSM@state.gov](mailto:PompianSM@state.gov)>; Kottmyer, Alice M <[KottmyerAM@state.gov](mailto:KottmyerAM@state.gov)>; Padgett, Katherine P <[PadgettKP@state.gov](mailto:PadgettKP@state.gov)>; Nightingale, Robert L <[NightingaleRL@state.gov](mailto:NightingaleRL@state.gov)>

**Cc:** Minarich, Christine M <[MinarichCM@state.gov](mailto:MinarichCM@state.gov)>; Jones, Elisabeth B <[JonesEB@state.gov](mailto:JonesEB@state.gov)>

**Subject:** USML Cats I-III Transfer AM Package for Clearance

**Importance:** High

DDTC has requested that I clear the AM package for the Cats I-III final rule through L now with a deadline of **December 11 at noon.**



One issue that DDTC is requesting L assistance on is working with T staff to figure out how to provide T with meaningful access to all of the Attachments to Tab 3. I do not know if it is possible to upload all of these documents to Everest, provide print outs, or provide some other way for T to access the documents. I'm copying Robby in the hopes that he might be willing to chat to figure out what we can do to help in this regard.

Please give me a call if you'd like me to talk you through any of this (I know it's a lot). I'll be at 3-2915 today and 7-8546 tomorrow and Wednesday.

Thanks,  
Joe

Joseph N. Khawam  
Attorney-Adviser  
U.S. Department of State  
Office of the Legal Adviser (L/PM)  
2201 C Street NW, Suite 6420  
Washington, DC 20520  
Office: (202) 647-8546  
Opennet: [KhawamJN@state.gov](mailto:KhawamJN@state.gov)



SBU - LEGAL

Message

---

**From:** Heidema, Sarah J [HeidemaSJ@state.gov]  
**Sent:** 12/10/2019 4:21:06 PM  
**To:** Miller, Michael F [Millermf@state.gov]; Khawam, Joseph N [KhawamJN@state.gov]  
**Subject:** FW: CAT I-III Update

FYSA-

Joe- You and whoever else from L you'd like to bring should be there too.

---

**From:** Abisellan, Eduardo <AbisellanE@state.gov>  
**Sent:** Tuesday, December 10, 2019 11:03 AM  
**To:** Landers, Linda S <LandersLS2@state.gov>  
**Cc:** Brechwald, Matthew J (T) <BrechwaldMJ2@state.gov>; Robbins, Hailey <RobbinsH2@state.gov>; Tucker, Maureen E <TuckerME@state.gov>; Heidema, Sarah J <HeidemaSJ@state.gov>; Windecker, Melissa A <WindeckerMA@state.gov>  
**Subject:** CAT I-III Update

Linda,

Need to put a meeting on A/S Ford's calendar for tomorrow at 0830 concerning Cat I-III way ahead with Mike Miller and Sarah Heidema.

Matt and I will brief Hailey.

Vr/Ed



## Message

**From:** Kottmyer, Alice M [KottmyerAM@state.gov]  
**Sent:** 12/10/2019 5:15:59 PM  
**To:** Dorosin, Joshua L [DorosinJL@state.gov]; Nightingale, Robert L [NightingaleRL@state.gov]; Khawam, Joseph N [KhawamJN@state.gov]; Kovar, Jeffrey D [KovarJD@state.gov]; Pompian, Shawn M [PompianSM@state.gov]; Padgett, Katherine P [PadgettKP@state.gov]  
**CC:** Minarich, Christine M [MinarichCM@state.gov]; Jones, Elisabeth B [JonesEB@state.gov]; Kottmyer, Alice M [KottmyerAM@state.gov]  
**Subject:** RE: USML Cats I-III Transfer AM Package for Clearance

No additional comment from me.

Thanks

### Alice Kottmyer

Attorney-Adviser | Office of Management  
 Office of the Legal Adviser | Department of State  
 202-647-2199 | BB [REDACTED] | [kottmyeram@state.gov](mailto:kottmyeram@state.gov)

#### SBU - LEGAL

**From:** Dorosin, Joshua L <DorosinJL@state.gov>  
**Sent:** Tuesday, December 10, 2019 11:25 AM  
**To:** Nightingale, Robert L <NightingaleRL@state.gov>; Kottmyer, Alice M <KottmyerAM@state.gov>; Khawam, Joseph N <KhawamJN@state.gov>; Kovar, Jeffrey D <KovarJD@state.gov>; Pompian, Shawn M <PompianSM@state.gov>; Padgett, Katherine P <PadgettKP@state.gov>  
**Cc:** Minarich, Christine M <MinarichCM@state.gov>; Jones, Elisabeth B <JonesEB@state.gov>  
**Subject:** RE: USML Cats I-III Transfer AM Package for Clearance

Thanks Robby. [REDACTED]

Best, Josh

#### SBU - LEGAL

**From:** Nightingale, Robert L <NightingaleRL@state.gov>  
**Sent:** Tuesday, December 10, 2019 11:09 AM  
**To:** Dorosin, Joshua L <DorosinJL@state.gov>; Kottmyer, Alice M <KottmyerAM@state.gov>; Khawam, Joseph N <KhawamJN@state.gov>; Kovar, Jeffrey D <KovarJD@state.gov>; Pompian, Shawn M <PompianSM@state.gov>; Padgett, Katherine P <PadgettKP@state.gov>  
**Cc:** Minarich, Christine M <MinarichCM@state.gov>; Jones, Elisabeth B <JonesEB@state.gov>  
**Subject:** RE: USML Cats I-III Transfer AM Package for Clearance

Yes, we'll put something on the calendar.

#### SBU - LEGAL

**From:** Dorosin, Joshua L <DorosinJL@state.gov>  
**Sent:** Tuesday, December 10, 2019 11:08 AM  
**To:** Kottmyer, Alice M <KottmyerAM@state.gov>; Khawam, Joseph N <KhawamJN@state.gov>; Kovar, Jeffrey D <KovarJD@state.gov>; Pompian, Shawn M <PompianSM@state.gov>; Padgett, Katherine P <PadgettKP@state.gov>;

Nightingale, Robert L <[NightingaleRL@state.gov](mailto:NightingaleRL@state.gov)>

Cc: Minarich, Christine M <[MinarichCM@state.gov](mailto:MinarichCM@state.gov)>; Jones, Elisabeth B <[JonesEB@state.gov](mailto:JonesEB@state.gov)>

Subject: RE: USML Cats I-III Transfer AM Package for Clearance

Joe – I'm going to begin reviewing the package now and want to make sure that Marik is at least briefed on this before we provide a final L clearance.

Robby – Can you and Joe find a time on the calendar for Marik to be briefed?

Thanks, Josh

SBU - LEGAL

From: Kottmyer, Alice M <[KottmyerAM@state.gov](mailto:KottmyerAM@state.gov)>

Sent: Monday, December 9, 2019 5:11 PM

To: Khawam, Joseph N <[KhawamJN@state.gov](mailto:KhawamJN@state.gov)>; Dorosin, Joshua L <[DorosinJL@state.gov](mailto:DorosinJL@state.gov)>; Kovar, Jeffrey D <[KovarJD@state.gov](mailto:KovarJD@state.gov)>; Pompian, Shawn M <[PompianSM@state.gov](mailto:PompianSM@state.gov)>; Padgett, Katherine P <[PadgettKP@state.gov](mailto:PadgettKP@state.gov)>; Nightingale, Robert L <[NightingaleRL@state.gov](mailto:NightingaleRL@state.gov)>

Cc: Minarich, Christine M <[MinarichCM@state.gov](mailto:MinarichCM@state.gov)>; Jones, Elisabeth B <[JonesEB@state.gov](mailto:JonesEB@state.gov)>; Kottmyer, Alice M <[KottmyerAM@state.gov](mailto:KottmyerAM@state.gov)>

Subject: RE: USML Cats I-III Transfer AM Package for Clearance

SBU - LEGAL

From: Khawam, Joseph N <[KhawamJN@state.gov](mailto:KhawamJN@state.gov)>

Sent: Monday, December 9, 2019 5:06 PM

To: Kottmyer, Alice M <[KottmyerAM@state.gov](mailto:KottmyerAM@state.gov)>; Dorosin, Joshua L <[DorosinJL@state.gov](mailto:DorosinJL@state.gov)>; Kovar, Jeffrey D <[KovarJD@state.gov](mailto:KovarJD@state.gov)>; Pompian, Shawn M <[PompianSM@state.gov](mailto:PompianSM@state.gov)>; Padgett, Katherine P <[PadgettKP@state.gov](mailto:PadgettKP@state.gov)>; Nightingale, Robert L <[NightingaleRL@state.gov](mailto:NightingaleRL@state.gov)>

Cc: Minarich, Christine M <[MinarichCM@state.gov](mailto:MinarichCM@state.gov)>; Jones, Elisabeth B <[JonesEB@state.gov](mailto:JonesEB@state.gov)>

Subject: RE: USML Cats I-III Transfer AM Package for Clearance

Thanks, Alice. I'll pass this along to DDTC.

Joseph N. Khawam

Office of the Legal Adviser (L/PM)

SBU - LEGAL

From: Kottmyer, Alice M <[KottmyerAM@state.gov](mailto:KottmyerAM@state.gov)>

Sent: Monday, December 9, 2019 4:56 PM

To: Khawam, Joseph N <[KhawamJN@state.gov](mailto:KhawamJN@state.gov)>; Dorosin, Joshua L <[DorosinJL@state.gov](mailto:DorosinJL@state.gov)>; Kovar, Jeffrey D <[KovarJD@state.gov](mailto:KovarJD@state.gov)>; Pompian, Shawn M <[PompianSM@state.gov](mailto:PompianSM@state.gov)>; Padgett, Katherine P <[PadgettKP@state.gov](mailto:PadgettKP@state.gov)>; Nightingale, Robert L <[NightingaleRL@state.gov](mailto:NightingaleRL@state.gov)>

Cc: Minarich, Christine M <[MinarichCM@state.gov](mailto:MinarichCM@state.gov)>; Jones, Elisabeth B <[JonesEB@state.gov](mailto:JonesEB@state.gov)>; Kottmyer, Alice M <[KottmyerAM@state.gov](mailto:KottmyerAM@state.gov)>

Subject: RE: USML Cats I-III Transfer AM Package for Clearance

Joe,

Thanks  
Alice

SBU - LEGAL

**From:** Khawam, Joseph N <KhawamJN@state.gov>  
**Sent:** Monday, December 9, 2019 1:35 PM  
**To:** Dorosin, Joshua L <DorosinJL@state.gov>; Kovar, Jeffrey D <KovarJD@state.gov>; Pompian, Shawn M <PompianSM@state.gov>; Kottmyer, Alice M <KottmyerAM@state.gov>; Padgett, Katherine P <PadgettKP@state.gov>; Nightingale, Robert L <NightingaleRL@state.gov>  
**Cc:** Minarich, Christine M <MinarichCM@state.gov>; Jones, Elisabeth B <JonesEB@state.gov>  
**Subject:** USML Cats I-III Transfer AM Package for Clearance  
**Importance:** High

DDTC has requested that I clear the AM package for the Cats I-III final rule through L now with a deadline of **December 11 at noon.**

One issue that DDTC is requesting L assistance on is working with T staff to figure out how to provide T with meaningful access to all of the Attachments to Tab 3. I do not know if it is possible to upload all of these documents to Everest, provide print outs, or provide some other way for T to access the documents. I'm copying Robby in the hopes that he might be willing to chat to figure out what we can do to help in this regard.

Please give me a call if you'd like me to talk you through any of this (I know it's a lot). I'll be at 3-2915 today and 7-8546 tomorrow and Wednesday.

Thanks,  
Joe

Joseph N. Khawam  
Attorney-Adviser  
U.S. Department of State  
Office of the Legal Adviser (L/PM)  
2201 C Street NW, Suite 6420

Washington, DC 20520

Office: (202) 647-8546

Opennet: [KhawamJN@state.gov](mailto:KhawamJN@state.gov)

SBU - LEGAL

Message

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**From:** Khawam, Joseph N [KhawamJN@state.gov]  
**Sent:** 12/10/2019 5:31:32 PM  
**To:** Sarni, Geneva M [SarniGM@state.gov]; Nightingale, Robert L [NightingaleRL@state.gov]  
**Subject:** RE: USML Cats I-III Transfer AM Package for Clearance

Thanks, Geneva. I think it's probably just me and Josh, but you can copy Shawn Pompian in case he is interested as well.

Joseph N. Khawam  
Office of the Legal Adviser (L/PM)

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SBU - LEGAL

**From:** Sarni, Geneva M <SarniGM@state.gov>  
**Sent:** Tuesday, December 10, 2019 12:26 PM  
**To:** Khawam, Joseph N <KhawamJN@state.gov>; Nightingale, Robert L <NightingaleRL@state.gov>  
**Subject:** RE: USML Cats I-III Transfer AM Package for Clearance

Hi Joe,

One last question - do you know whom else might need to be included on the invite? Just you and Josh? Or more folks?

Thanks!

## Geneva Sarni

Office Management Specialist  
US Department of State  
Office of the Legal Adviser (L)  
HST/L/FO/Room 6805  
(O): 202-647-9598  
Contractor - Nisga'a Data Systems (NDS)

---

SBU - LEGAL

**From:** Khawam, Joseph N <KhawamJN@state.gov>  
**Sent:** Tuesday, December 10, 2019 12:12 PM  
**To:** Sarni, Geneva M <SarniGM@state.gov>; Nightingale, Robert L <NightingaleRL@state.gov>  
**Subject:** RE: USML Cats I-III Transfer AM Package for Clearance

Not for me. That works great.

Joseph N. Khawam  
Office of the Legal Adviser (L/PM)

---

SBU - LEGAL

**From:** Sarni, Geneva M <SarniGM@state.gov>  
**Sent:** Tuesday, December 10, 2019 12:11 PM

**To:** Khawam, Joseph N <[KhawamJN@state.gov](mailto:KhawamJN@state.gov)>; Nightingale, Robert L <[NightingaleRL@state.gov](mailto:NightingaleRL@state.gov)>

**Subject:** RE: USML Cats I-III Transfer AM Package for Clearance

Would 5pm be too late for you?

## Geneva Sarni

Office Management Specialist  
US Department of State  
Office of the Legal Adviser (L)  
HST/L/FO/Room 6805  
(O): 202-647-9598  
Contractor - Nisga'a Data Systems (NDS)

---

SBU - LEGAL

**From:** Khawam, Joseph N <[KhawamJN@state.gov](mailto:KhawamJN@state.gov)>

**Sent:** Tuesday, December 10, 2019 12:09 PM

**To:** Sarni, Geneva M <[SarniGM@state.gov](mailto:SarniGM@state.gov)>; Nightingale, Robert L <[NightingaleRL@state.gov](mailto:NightingaleRL@state.gov)>

**Subject:** RE: USML Cats I-III Transfer AM Package for Clearance

Thanks, Geneva. This afternoon or tomorrow morning would work. The only time I can't attend is from 8:30-9:30 am tomorrow because we'll be briefing A/S Ford on the same issue.

Joseph N. Khawam  
Office of the Legal Adviser (L/PM)

---

SBU - LEGAL

**From:** Sarni, Geneva M <[SarniGM@state.gov](mailto:SarniGM@state.gov)>

**Sent:** Tuesday, December 10, 2019 11:25 AM

**To:** Nightingale, Robert L <[NightingaleRL@state.gov](mailto:NightingaleRL@state.gov)>

**Cc:** Khawam, Joseph N <[KhawamJN@state.gov](mailto:KhawamJN@state.gov)>

**Subject:** RE: USML Cats I-III Transfer AM Package for Clearance

Hi Joe,

Is this a meeting that should happen today? Or at least by tomorrow morning? Just wanted to get an idea of when I should schedule.

Thanks!

## Geneva Sarni

Office Management Specialist  
US Department of State  
Office of the Legal Adviser (L)  
HST/L/FO/Room 6805  
(O): 202-647-9598  
Contractor - Nisga'a Data Systems (NDS)

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SBU - LEGAL

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**Sent:** Tuesday, December 10, 2019 11:09 AM  
**To:** Sarni, Geneva M <[SarniGM@state.gov](mailto:SarniGM@state.gov)>  
**Cc:** Khawam, Joseph N <[KhawamJN@state.gov](mailto:KhawamJN@state.gov)>  
**Subject:** FW: USML Cats I-III Transfer AM Package for Clearance

Geneva, could you help us find a time that would work for Marik and Josh to have a briefing on Cats I-III?

---

SBU - LEGAL

---

**From:** Dorosin, Joshua L <[DorosinJL@state.gov](mailto:DorosinJL@state.gov)>  
**Sent:** Tuesday, December 10, 2019 11:08 AM  
**To:** Kottmyer, Alice M <[KottmyerAM@state.gov](mailto:KottmyerAM@state.gov)>; Khawam, Joseph N <[KhawamJN@state.gov](mailto:KhawamJN@state.gov)>; Kovar, Jeffrey D <[KovarJD@state.gov](mailto:KovarJD@state.gov)>; Pompian, Shawn M <[PompianSM@state.gov](mailto:PompianSM@state.gov)>; Padgett, Katherine P <[PadgettKP@state.gov](mailto:PadgettKP@state.gov)>; Nightingale, Robert L <[NightingaleRL@state.gov](mailto:NightingaleRL@state.gov)>  
**Cc:** Minarich, Christine M <[MinarichCM@state.gov](mailto:MinarichCM@state.gov)>; Jones, Elisabeth B <[JonesEB@state.gov](mailto:JonesEB@state.gov)>  
**Subject:** RE: USML Cats I-III Transfer AM Package for Clearance

Joe – I'm going to begin reviewing the package now and want to make sure that Marik is at least briefed on this before we provide a final L clearance.

Robby – Can you and Joe find a time on the calendar for Marik to be briefed?

Thanks, Josh

---

SBU - LEGAL

---

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**To:** Khawam, Joseph N <[KhawamJN@state.gov](mailto:KhawamJN@state.gov)>; Dorosin, Joshua L <[DorosinJL@state.gov](mailto:DorosinJL@state.gov)>; Kovar, Jeffrey D <[KovarJD@state.gov](mailto:KovarJD@state.gov)>; Pompian, Shawn M <[PompianSM@state.gov](mailto:PompianSM@state.gov)>; Padgett, Katherine P <[PadgettKP@state.gov](mailto:PadgettKP@state.gov)>; Nightingale, Robert L <[NightingaleRL@state.gov](mailto:NightingaleRL@state.gov)>  
**Cc:** Minarich, Christine M <[MinarichCM@state.gov](mailto:MinarichCM@state.gov)>; Jones, Elisabeth B <[JonesEB@state.gov](mailto:JonesEB@state.gov)>; Kottmyer, Alice M <[KottmyerAM@state.gov](mailto:KottmyerAM@state.gov)>  
**Subject:** RE: USML Cats I-III Transfer AM Package for Clearance

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SBU - LEGAL

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**Cc:** Minarich, Christine M <[MinarichCM@state.gov](mailto:MinarichCM@state.gov)>; Jones, Elisabeth B <[JonesEB@state.gov](mailto:JonesEB@state.gov)>  
**Subject:** RE: USML Cats I-III Transfer AM Package for Clearance

Thanks, Alice. I'll pass this along to DDTC.

Joseph N. Khawam



Office of the Legal Adviser (L/PM)

SBU - LEGAL

**From:** Kottmyer, Alice M <KottmyerAM@state.gov>

**Sent:** Monday, December 9, 2019 4:56 PM

**To:** Khawam, Joseph N <KhawamJN@state.gov>; Dorosin, Joshua L <DorosinJL@state.gov>; Kovar, Jeffrey D <KovarJD@state.gov>; Pompian, Shawn M <PompianSM@state.gov>; Padgett, Katherine P <PadgettKP@state.gov>; Nightingale, Robert L <NightingaleRL@state.gov>

**Cc:** Minarich, Christine M <MinarichCM@state.gov>; Jones, Elisabeth B <JonesEB@state.gov>; Kottmyer, Alice M <KottmyerAM@state.gov>

**Subject:** RE: USML Cats I-III Transfer AM Package for Clearance

Joe,

Thanks

Alice

SBU - LEGAL

**From:** Khawam, Joseph N <KhawamJN@state.gov>

**Sent:** Monday, December 9, 2019 1:35 PM

**To:** Dorosin, Joshua L <DorosinJL@state.gov>; Kovar, Jeffrey D <KovarJD@state.gov>; Pompian, Shawn M <PompianSM@state.gov>; Kottmyer, Alice M <KottmyerAM@state.gov>; Padgett, Katherine P <PadgettKP@state.gov>; Nightingale, Robert L <NightingaleRL@state.gov>

**Cc:** Minarich, Christine M <MinarichCM@state.gov>; Jones, Elisabeth B <JonesEB@state.gov>

**Subject:** USML Cats I-III Transfer AM Package for Clearance

**Importance:** High

DDTC has requested that I clear the AM package for the Cats I-III final rule through L now with a deadline of **December 11 at noon.**

One issue that DDTC is requesting L assistance on is working with T staff to figure out how to provide T with meaningful access to all of the Attachments to Tab 3. I do not know if it is possible to upload all of these documents to Everest, provide print outs, or provide some other way for T to access the documents. I'm copying Robby in the hopes that he might be willing to chat to figure out what we can do to help in this regard.

Please give me a call if you'd like me to talk you through any of this (I know it's a lot). I'll be at 3-2915 today and 7-8546 tomorrow and Wednesday.

Thanks,  
Joe

Joseph N. Khawam  
Attorney-Adviser  
U.S. Department of State  
Office of the Legal Adviser (L/PM)  
2201 C Street NW, Suite 6420  
Washington, DC 20520  
Office: (202) 647-8546  
Opennet: [KhawamJN@state.gov](mailto:KhawamJN@state.gov)



SBU - LEGAL

## Message

**From:** Nightingale, Robert L [NightingaleRL@state.gov]  
**Sent:** 12/10/2019 6:01:14 PM  
**To:** Dorosin, Joshua L [DorosinJL@state.gov]  
**Subject:** RE: CLEARANCE by 1pm: AM to S on Menendez Hold

Thanks, Josh! Will you have any edits to this? If so, in light of Joe's email that it's fine to wait until 5 pm to brief Marik on this, I can hold off passing the draft to Marik until you've had a chance to make them. Best, Robby

SENSITIVE BUT UNCLASSIFIED

**From:** Dorosin, Joshua L <DorosinJL@state.gov>  
**Sent:** Tuesday, December 10, 2019 12:38 PM  
**To:** Nightingale, Robert L <NightingaleRL@state.gov>  
**Subject:** FW: CLEARANCE by 1pm: AM to S on Menendez Hold  
**Importance:** High

The attachment for the last e-mail.

SENSITIVE BUT UNCLASSIFIED

**From:** Khawam, Joseph N <KhawamJN@state.gov>  
**Sent:** Tuesday, December 10, 2019 12:01 PM  
**To:** Kovar, Jeffrey D <KovarJD@state.gov>; Dorosin, Joshua L <DorosinJL@state.gov>; Pompian, Shawn M <PompianSM@state.gov>; Padgett, Katherine P <PadgettKP@state.gov>  
**Subject:** FW: CLEARANCE by 1pm: AM to S on Menendez Hold  
**Importance:** High

Attached please find a draft AM for S [REDACTED]

**Please note PM is**

**seeking clearance at 1 pm.**

Josh, [REDACTED]

Joseph N. Khawam  
 Office of the Legal Adviser (L/PM)

SENSITIVE BUT UNCLASSIFIED

**From:** Paul, Joshua M <PaulJM@state.gov>  
**Sent:** Tuesday, December 10, 2019 10:38 AM  
**To:** Heidema, Sarah J <HeidemaSJ@state.gov>; Carter, Melanie R <CarterMR@state.gov>; Eggleston, Brett A <EgglestonBA@state.gov>; Abisellan, Eduardo <AbisellanE@state.gov>; Tucker, Maureen E <TuckerME@state.gov>; Urena, Michael A <UrenaMA@state.gov>; Khawam, Joseph N <KhawamJN@state.gov>; Goulding, Tamara D <GouldingTD@state.gov>  
**Cc:** Miller, Michael F <MillerMF@state.gov>; PM-Staffers Mailbox <PM-StaffersMailbox@state.gov>; Windecker, Melissa A <WindeckerMA@state.gov>; Hart, Robert L <HartRL@state.gov>; PM-CPA <PM-CPA@state.gov>  
**Subject:** RE: CLEARANCE by 1pm: AM to S on Menendez Hold

+ a few

SENSITIVE BUT UNCLASSIFIED

**From:** Paul, Joshua M  
**Sent:** Tuesday, December 10, 2019 10:37 AM  
**To:** Heidema, Sarah J <[HeidemaSJ@state.gov](mailto:HeidemaSJ@state.gov)>; Carter, Melanie R <[CarterMR@state.gov](mailto:CarterMR@state.gov)>; Eggleston, Brett A <[EgglestonBA@state.gov](mailto:EgglestonBA@state.gov)>; Abisellan, Eduardo <[AbisellanE@state.gov](mailto:AbisellanE@state.gov)>; Tucker, Maureen E <[TuckerME@state.gov](mailto:TuckerME@state.gov)>; Urena, Michael A <[UrenaMA@state.gov](mailto:UrenaMA@state.gov)>; Khawam, Joseph N <[KhawamJN@state.gov](mailto:KhawamJN@state.gov)>; Goulding, Tamara D <[DarrachTA@state.gov](mailto:DarrachTA@state.gov)>  
**Cc:** Miller, Michael F <[MillerMF@state.gov](mailto:MillerMF@state.gov)>; PM-Staffers Mailbox <[PM-StaffersMailbox@state.gov](mailto:PM-StaffersMailbox@state.gov)>; Windecker, Melissa A <[WindeckerMA@state.gov](mailto:WindeckerMA@state.gov)>; Hart, Robert L <[HartRL@state.gov](mailto:HartRL@state.gov)>  
**Subject:** CLEARANCE by 1pm: AM to S on Menendez Hold

Dear all,

Seeking your clearance soonest (by 1pm if at all possible) on the attached AM to S [REDACTED]

DDTC, please can you provide Tab 1? CPA will circulate Tab 2 (the Menendez Letter) once it is received.

Thank you,

Josh

SENSITIVE BUT UNCLASSIFIED

**From:** Fite, David (Foreign Relations) <[David\\_Fite@foreign.senate.gov](mailto:David_Fite@foreign.senate.gov)>  
**Sent:** Tuesday, December 10, 2019 10:18 AM  
**To:** Goulding, Tamara D <[GouldingTD@state.gov](mailto:GouldingTD@state.gov)>; Paul, Joshua M <[PaulJM@state.gov](mailto:PaulJM@state.gov)>  
**Cc:** Heidema, Sarah J <[HeidemaSJ@state.gov](mailto:HeidemaSJ@state.gov)>; Hunter, Robert <[robert\\_hunter@foreign.senate.gov](mailto:robert_hunter@foreign.senate.gov)>; Huddleston, Clay (Foreign Relations) <[Clay\\_Huddleston@foreign.senate.gov](mailto:Clay_Huddleston@foreign.senate.gov)>; Steffens, Jessica <[jessica.steffens@mail.house.gov](mailto:jessica.steffens@mail.house.gov)>; Rice, Edmund <[edmund.rice@mail.house.gov](mailto:edmund.rice@mail.house.gov)>  
**Subject:** Sen. Menendez Places Hold on 38(f) Notice of Transfers of USML Cats I-III to Commerce

Sen. Menendez places a hold on the proposed transfer. A letter to Secretary Pompeo will be sent later today.

Message

**From:** Khawam, Joseph N [KhawamJN@state.gov]  
**Sent:** 12/10/2019 6:02:02 PM  
**To:** Paul, Joshua M [PaulJM@state.gov]  
**Subject:** RE: CLEARANCE by 1pm: AM to S on Menendez Hold  
**Attachments:** AM on Advancing Cats.docx

Here are just a few minor edits from me. As mentioned, we're briefing Marik at 5 pm on this issue, and we need his clearance for L to clear [REDACTED] Please let the PM/FO know. Thanks.

Joseph N. Khawam  
Office of the Legal Adviser (L/PM)

SENSITIVE BUT UNCLASSIFIED

**From:** Paul, Joshua M <PaulJM@state.gov>  
**Sent:** Tuesday, December 10, 2019 12:00 PM  
**To:** Heidema, Sarah J <HeidemaSJ@state.gov>; Carter, Melanie R <CarterMR@state.gov>; Eggleston, Brett A <EgglestonBA@state.gov>; Abisellan, Eduardo <AbisellanE@state.gov>; Tucker, Maureen E <TuckerME@state.gov>; Urena, Michael A <UrenaMA@state.gov>; Khawam, Joseph N <KhawamJN@state.gov>; Goulding, Tamara D <GouldingTD@state.gov>  
**Cc:** Miller, Michael F <MillerMF@state.gov>; PM-Staffers Mailbox <PM-StaffersMailbox@state.gov>; Windecker, Melissa A <WindeckerMA@state.gov>; Hart, Robert L <HartRL@state.gov>; PM-CPA <PM-CPA@state.gov>  
**Subject:** RE: CLEARANCE by 1pm: AM to S on Menendez Hold

Dear all,

A reminder that I'm seeking your clearance within the next hour, if possible.

Thanks,

Josh

SENSITIVE BUT UNCLASSIFIED

**From:** Paul, Joshua M  
**Sent:** Tuesday, December 10, 2019 10:37 AM  
**To:** Heidema, Sarah J <HeidemaSJ@state.gov>; Carter, Melanie R <CarterMR@state.gov>; Eggleston, Brett A <EgglestonBA@state.gov>; Abisellan, Eduardo <AbisellanE@state.gov>; Tucker, Maureen E <TuckerME@state.gov>; Urena, Michael A <UrenaMA@state.gov>; Khawam, Joseph N <KhawamJN@state.gov>; Goulding, Tamara D <DarrachTA@state.gov>  
**Cc:** Miller, Michael F <MillerMF@state.gov>; PM-Staffers Mailbox <PM-StaffersMailbox@state.gov>; Windecker, Melissa A <WindeckerMA@state.gov>; Hart, Robert L <HartRL@state.gov>  
**Subject:** CLEARANCE by 1pm: AM to S on Menendez Hold

Dear all,

Seeking your clearance soonest (by 1pm if at all possible) on the attached AM to S [REDACTED]

DDTC, please can you provide Tab 1? CPA will circulate Tab 2 (the Menendez Letter) once it is received.

Thank you,

Josh

SENSITIVE BUT UNCLASSIFIED

**From:** Fite, David (Foreign Relations) <[David\\_Fite@foreign.senate.gov](mailto:David_Fite@foreign.senate.gov)>

**Sent:** Tuesday, December 10, 2019 10:18 AM

**To:** Goulding, Tamara D <[GouldingTD@state.gov](mailto:GouldingTD@state.gov)>; Paul, Joshua M <[PaulJM@state.gov](mailto:PaulJM@state.gov)>

**Cc:** Heidema, Sarah J <[HeidemaSJ@state.gov](mailto:HeidemaSJ@state.gov)>; Hunter, Robert <[robert\\_hunter@foreign.senate.gov](mailto:robert_hunter@foreign.senate.gov)>; Huddleston, Clay (Foreign Relations) <[Clay\\_Huddleston@foreign.senate.gov](mailto:Clay_Huddleston@foreign.senate.gov)>; Steffens, Jessica <[jessica.steffens@mail.house.gov](mailto:jessica.steffens@mail.house.gov)>; Rice, Edmund <[edmund.rice@mail.house.gov](mailto:edmund.rice@mail.house.gov)>

**Subject:** Sen. Menendez Places Hold on 38(f) Notice of Transfers of USML Cats I-III to Commerce

Sen. Menendez places a hold on the proposed transfer. A letter to Secretary Pompeo will be sent later today.

## Message

**From:** Khawam, Joseph N [KhawamJN@state.gov]  
**Sent:** 12/10/2019 6:07:23 PM  
**To:** Abraham, Liz (Federal) [LABraham@doc.gov]  
**Subject:** RE: PM Highlights in the FY20 NDAA

Would you have 2 minutes for a quick call this afternoon? I just wanted to make sure you are tracking the same issues on your end that we are. I'm at 7-8546.

Joseph N. Khawam  
 Office of the Legal Adviser (L/PM)

SENSITIVE BUT UNCLASSIFIED

**From:** Abraham, Liz (Federal) <LABraham@doc.gov>  
**Sent:** Tuesday, December 10, 2019 9:33 AM  
**To:** Khawam, Joseph N <KhawamJN@state.gov>  
**Subject:** RE: PM Highlights in the FY20 NDAA

Thanks!

Confidentiality Notice: This e-mail message is intended only for the named recipients. It contains information that may be confidential, privileged, attorney work product, or otherwise exempt from disclosure under applicable law. If you have received this message in error, are not a named recipient, or are not the employee or agent responsible for delivering this message to a named recipient, be advised that any review, disclosure, use, dissemination, distribution, or reproduction of this message or its contents is strictly prohibited. Please notify us immediately that you have received this message in error, and delete the message.

**From:** Khawam, Joseph N <KhawamJN@state.gov>  
**Sent:** Tuesday, December 10, 2019 9:00 AM  
**To:** Abraham, Liz (Federal) <LABraham@doc.gov>  
**Subject:** RE: PM Highlights in the FY20 NDAA

One quick note – please don't forward on the Word document. That is PM work product. The PDF (Conference Report) is public. Sorry about that.

Joseph N. Khawam  
 Office of the Legal Adviser (L/PM)

SENSITIVE BUT UNCLASSIFIED

**From:** Khawam, Joseph N  
**Sent:** Tuesday, December 10, 2019 8:55 AM  
**To:** Abraham, Liz (LABraham@doc.gov) <LABraham@doc.gov>  
**Subject:** FW: PM Highlights in the FY20 NDAA

FYI

*Transfer of certain items included in categories I, II, and III of the United States Munitions List to the Commerce Control List*  
 The House amendment contained a provision (sec. 1050) that would prohibit the President from removing from the United States Munitions List any item that was included in category I,



II, or III of the United States Munitions List, as in effect on August 31, 2017.

Senate bill contained no similar provision.

The House recesses.

Joseph N. Khawam

Office of the Legal Adviser (L/PM)

SENSITIVE BUT UNCLASSIFIED

**From:** Paul, Joshua M <[PaulJM@state.gov](mailto:PaulJM@state.gov)>

**Sent:** Tuesday, December 10, 2019 8:49 AM

**To:** PM-All-Users <[PM-All-Users@state.gov](mailto:PM-All-Users@state.gov)>

**Cc:** Goulding, Tamara D <[GouldingTD@state.gov](mailto:GouldingTD@state.gov)>

**Subject:** PM Highlights in the FY20 NDAA

---

**Josh Paul**

Director, Congressional & Public Affairs

Bureau of Political-Military Affairs (PM/CPA)

U.S. Department of State

☎ Phone: 202.647.7878 | 📞 BlackBerry: [REDACTED] 📠 Fax: 202.647.4055

✉ e-mail: [PaulJM@State.Gov](mailto:PaulJM@State.Gov) | 🌐 Web: [www.state.gov/t/pm/](http://www.state.gov/t/pm/)

🐦 <http://twitter.com/StateDeptPM>

Stay connected with *State.gov*:



SENSITIVE BUT UNCLASSIFIED

Message

**From:** Abisellan, Eduardo [AbisellanE@state.gov]  
**Sent:** 12/10/2019 7:23:28 PM  
**To:** Ford, Christopher A [FordCA@state.gov]  
**CC:** Robbins, Hailey [RobbinsH2@state.gov]; Brechwald, Matthew J (T) [BrechwaldMJ2@state.gov]; Wilson, Sean P (T) [WilsonSP4@state.gov]  
**Subject:** FW: Urgent Update to CAT I-III USML  
**Attachments:** AM on Advancing CAT I-III T Edits 10 Dec 2019.docx; Tab 1 - Revised USML Categories I II and III - G.docx

Sir,

[REDACTED]

Vr/Ed

SENSITIVE BUT UNCLASSIFIED

**From:** Abisellan, Eduardo  
**Sent:** Tuesday, December 10, 2019 1:16 PM  
**To:** Ford, Christopher A <FordCA@state.gov>  
**Cc:** Robbins, Hailey <RobbinsH2@state.gov>; Brechwald, Matthew J (T) <BrechwaldMJ2@state.gov>; Tucker, Maureen E <TuckerME@state.gov>; Heidema, Sarah J <HeidemaSJ@state.gov>; Miller, Michael F <MillerMF@state.gov>; Windecker, Melissa A <WindeckerMA@state.gov>; Wilson, Sean P (T) <WilsonSP4@state.gov>  
**Subject:** Urgent Update to CAT I-III USML

Sensitive But Unclassified //Pre-decisional

Sir,

Urgent update to the CAT I-III USML status. Today (12/10), Senator Menendez placed a new "hold" on the CAT I-III rule publication. On November 12th the Department notified Congress under section 38(f) of the Arms Export Control Act (AECA) of our intention to transfer jurisdictional control of certain classes of items, including semiautomatic firearms, and non-automatic firearms through .50 caliber, and associated parts, components, and ammunition, from the Department's U.S. Munitions List (USML) to the Commerce Control List (CCL). [REDACTED]

[REDACTED]

(U) Mike Miller and Sarah Heidema are prepared to brief you in greater detail tomorrow at 0830, should you have any additional questions.

Vr/Ed

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**Additional Background:**

(SBU) Following the February 2019 notification, [REDACTED] the Commerce and State rules would be revised to allow Commerce to still place controls on certain firearms and related items while also drafting new controls to require authorization prior to releasing into the public domain certain information needed to 3-D print firearms. The revised rules, consistent with the notification procedures described above and based on approval received from S, were re-notified to Congress on November 12, with the notification expiring on Dec 12.

(SBU) Public and Congressional interests: Many Democrats within Congress have been critical of the rule making, while Republicans have supported the move of many firearms and related items to Commerce controls. Democrats see it as a loosening of controls on firearms exports and a loss of congressional oversight, while Republicans have noted that it frees industry and individuals from unnecessary regulation. There is also a fair amount of public interest in the rule that tracks with the congressional interests. Further, there will now be those who are critical of the government's continued controls on the public release of technical information needed for 3-D printing of firearms. [REDACTED]

---

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SENSITIVE BUT UNCLASSIFIED

Message

**From:** Padgett, Katherine P [PadgettKP@state.gov]  
**Sent:** 12/10/2019 10:00:31 PM  
**To:** Khawam, Joseph N [KhawamJN@state.gov]; Dorosin, Joshua L [DorosinJL@state.gov]; Kovar, Jeffrey D [KovarJD@state.gov]; Pompian, Shawn M [PompianSM@state.gov]; Nightingale, Robert L [NightingaleRL@state.gov]  
**Subject:** RE: CLEARANCE by 1pm: AM to S on Menendez Hold

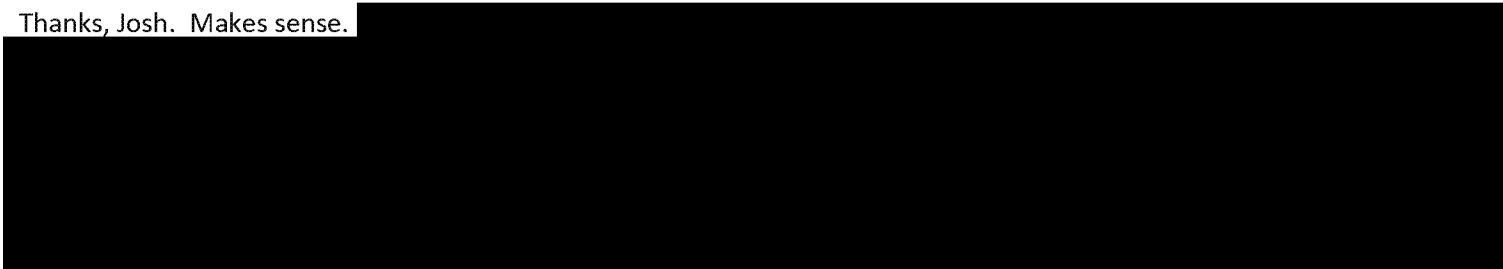
Joe – nothing additional from me on this AM.

**Katherine Penberthy Padgett**  
Attorney Adviser, L/LFA  
Office of the Legal Adviser  
U.S. Department of State  
Washington, DC 20520  
(202) 647-7896

SENSITIVE BUT UNCLASSIFIED

**From:** Khawam, Joseph N <KhawamJN@state.gov>  
**Sent:** Tuesday, December 10, 2019 12:53 PM  
**To:** Dorosin, Joshua L <DorosinJL@state.gov>; Kovar, Jeffrey D <KovarJD@state.gov>; Pompian, Shawn M <PompianSM@state.gov>; Padgett, Katherine P <PadgettKP@state.gov>; Nightingale, Robert L <NightingaleRL@state.gov>  
**Subject:** RE: CLEARANCE by 1pm: AM to S on Menendez Hold

Thanks, Josh. Makes sense.



Joseph N. Khawam  
Office of the Legal Adviser (L/PM)

SENSITIVE BUT UNCLASSIFIED

**From:** Dorosin, Joshua L <DorosinJL@state.gov>  
**Sent:** Tuesday, December 10, 2019 12:37 PM  
**To:** Khawam, Joseph N <KhawamJN@state.gov>; Kovar, Jeffrey D <KovarJD@state.gov>; Pompian, Shawn M <PompianSM@state.gov>; Padgett, Katherine P <PadgettKP@state.gov>; Nightingale, Robert L <NightingaleRL@state.gov>  
**Subject:** RE: CLEARANCE by 1pm: AM to S on Menendez Hold

Joe – We need to run this by Marik.

Robby – Can we see if Marik has availability this afternoon?

SENSITIVE BUT UNCLASSIFIED

**From:** Khawam, Joseph N <KhawamJN@state.gov>  
**Sent:** Tuesday, December 10, 2019 12:01 PM  
**To:** Kovar, Jeffrey D <KovarJD@state.gov>; Dorosin, Joshua L <DorosinJL@state.gov>; Pompian, Shawn M <PompianSM@state.gov>; Padgett, Katherine P <PadgettKP@state.gov>  
**Subject:** FW: CLEARANCE by 1pm: AM to S on Menendez Hold  
**Importance:** High

Attached please find a draft AM for S [REDACTED]

[REDACTED] **Please note PM is seeking clearance at 1 pm.**

Josh, [REDACTED]  
[REDACTED]

Joseph N. Khawam  
Office of the Legal Adviser (L/PM)

SENSITIVE BUT UNCLASSIFIED

**From:** Paul, Joshua M <PaulJM@state.gov>  
**Sent:** Tuesday, December 10, 2019 10:38 AM  
**To:** Heidema, Sarah J <HeidemaSJ@state.gov>; Carter, Melanie R <CarterMR@state.gov>; Eggleston, Brett A <EgglestonBA@state.gov>; Abisellan, Eduardo <AbisellanE@state.gov>; Tucker, Maureen E <TuckerME@state.gov>; Urena, Michael A <UrenaMA@state.gov>; Khawam, Joseph N <KhawamJN@state.gov>; Goulding, Tamara D <GouldingTD@state.gov>  
**Cc:** Miller, Michael F <MillerMF@state.gov>; PM-Staffers Mailbox <PM-StaffersMailbox@state.gov>; Windecker, Melissa A <WindeckerMA@state.gov>; Hart, Robert L <HartRL@state.gov>; PM-CPA <PM-CPA@state.gov>  
**Subject:** RE: CLEARANCE by 1pm: AM to S on Menendez Hold

+ a few

SENSITIVE BUT UNCLASSIFIED

**From:** Paul, Joshua M  
**Sent:** Tuesday, December 10, 2019 10:37 AM  
**To:** Heidema, Sarah J <HeidemaSJ@state.gov>; Carter, Melanie R <CarterMR@state.gov>; Eggleston, Brett A <EgglestonBA@state.gov>; Abisellan, Eduardo <AbisellanE@state.gov>; Tucker, Maureen E <TuckerME@state.gov>; Urena, Michael A <UrenaMA@state.gov>; Khawam, Joseph N <KhawamJN@state.gov>; Goulding, Tamara D <DarrachTA@state.gov>  
**Cc:** Miller, Michael F <MillerMF@state.gov>; PM-Staffers Mailbox <PM-StaffersMailbox@state.gov>; Windecker, Melissa A <WindeckerMA@state.gov>; Hart, Robert L <HartRL@state.gov>  
**Subject:** CLEARANCE by 1pm: AM to S on Menendez Hold

Dear all,

Seeking your clearance soonest (by 1pm if at all possible) on the attached AM to S [REDACTED]  
[REDACTED]

DDTC, please can you provide Tab 1? CPA will circulate Tab 2 (the Menendez Letter) once it is received.

Thank you,

Josh

SENSITIVE BUT UNCLASSIFIED

---

**From:** Fite, David (Foreign Relations) <[David\\_Fite@foreign.senate.gov](mailto:David_Fite@foreign.senate.gov)>

**Sent:** Tuesday, December 10, 2019 10:18 AM

**To:** Goulding, Tamara D <[GouldingTD@state.gov](mailto:GouldingTD@state.gov)>; Paul, Joshua M <[PaulJM@state.gov](mailto:PaulJM@state.gov)>

**Cc:** Heidema, Sarah J <[HeidemaSJ@state.gov](mailto:HeidemaSJ@state.gov)>; Hunter, Robert <[robert\\_hunter@foreign.senate.gov](mailto:robert_hunter@foreign.senate.gov)>; Huddleston, Clay (Foreign Relations) <[Clay\\_Huddleston@foreign.senate.gov](mailto:Clay_Huddleston@foreign.senate.gov)>; Steffens, Jessica <[jessica.steffens@mail.house.gov](mailto:jessica.steffens@mail.house.gov)>; Rice, Edmund <[edmund.rice@mail.house.gov](mailto:edmund.rice@mail.house.gov)>

**Subject:** Sen. Menendez Places Hold on 38(f) Notice of Transfers of USML Cats I-III to Commerce

Sen. Menendez places a hold on the proposed transfer. A letter to Secretary Pompeo will be sent later today.



JAMES E. RISCH, IDAHO, CHAIRMAN

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 JEFF MERKLEY, OREGON  
 CORY A. BOOKER, NEW JERSEY

## United States Senate

COMMITTEE ON FOREIGN RELATIONS

WASHINGTON, DC 20510-6225

December 10, 2019

The Honorable Mike Pompeo  
 Secretary of State  
 U.S. Department of State  
 2201 C Street, N.W.  
 Washington, D.C.

Dear Secretary Pompeo:

On February 4, 2019, I received congressional notification from the Department, pursuant to the authority of section 38(f) of the Arms Export Control Act (AECA), for the proposed transfer of responsibility for the export control of firearms and ammunition from the United States Munitions list (USML) to the Commerce Control List (CCL). I wrote to inform you on February 22 that I was placing a hold on that congressional notification. On November 12, 2019, the Department submitted a new 38(f) notification in response to a proposed regulatory change by the Department of Commerce. I write to inform you that I am placing a hold on the November 12, 2019 notification for the reasons detailed below.

As you no doubt are aware, firearms and ammunition – especially those derived from military models and widely in-use by military and security services - are uniquely dangerous. They are easily modified, diverted, and proliferated, and are the primary means of injury, death, and destruction in civil and military conflicts throughout the world. As such, they should be subject to more rigorous export controls and oversight, not less.

Combat rifles, including those commonly known as “sniper rifles,” should not be removed from the USML, nor should rifles of any type that are U.S. military-standard 5.56 (and especially .50 caliber). Semi-automatic firearms should also not be removed, and neither should related equipment, ammunition, or associated manufacturing equipment, technology, or technical data.

My hold will remain in place until such time as the issue identified below is sufficiently addressed.

### 1) Removal of Firearms Exports from Congressional Information and Review

The AECA provides for congressional review of exports of lethal weapons to ensure that they comport with U.S. foreign policy interests. As you know, Congress took action in 2002 to ensure that the sale and export of these weapons would receive closer scrutiny and oversight, including by amending the AECA to set a lower congressional reporting threshold (from \$14 million to \$1 million) specifically for firearms on the USML. Moving such firearms from the USML to the CCL would effectively eliminate congressional oversight of exports of these weapons by eliminating this congressional reporting requirement, and would be directly contrary to congressional intent.

To that end, I reiterate my demand from my previous letter: the Senate Foreign Relations and House Foreign Affairs committees must be immediately informed of any proposed license to export firearms formerly controlled on the USML at the appropriate dollar threshold mandated in the Arms Export Control Act. This concern must be satisfactorily addressed before I will lift my hold.

2) Proliferation of 3D Gun Printing Technical Information

In my February letter, I expressed that there is a serious risk that this transfer will open the floodgates of information for the 3D printing of nearly-undetectable firearms and components by foreign persons and terrorists that intend to harm U.S. citizens and interests. The Department of Commerce claimed that it could not, by its own regulations, prevent the publication, including on the Internet for global consumption, of technical information and blueprint files that would enable this 3D production, if such information has once been published, even illegally. I wrote that:

*Ultimately, the specific provision of the Export Administration Regulations that is cited as preventing Commerce from controlling the publication of 3D Printed guns in the longer term needs to be rewritten to permit this control. Until that occurs, or until Commerce determines that such technical information can and will be controlled, this technical information cannot and should not be transferred from USML to the CCL.*

I understand that the Department of Commerce has now decided to alter its regulations to address this concern; technical information related to the manufacture of firearms, to include 3D-printing information, proposed for transfer to the CCL will be prohibited from publication or Internet posting without a license. That does seek to address my previously-expressed concern, and I will not insist on this to lift my hold. However, I note that this improvement could easily be undone through a simple regulatory change in the future that would not even require congressional notification or review; a statutory authority to maintain such licensing, or better yet, an outright prohibition, may be required. Moreover, Commerce must maintain a policy of "presumption of denial" for any license application sought to publish or post such information, and pursue any violations vigorously.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert Menendez". The signature is fluid and cursive, with a large, stylized "R" and "M".

Robert Menendez  
Ranking Member

Message

---

**From:** Abisellan, Eduardo [AbisellanE@state.gov]  
**Sent:** 12/11/2019 11:44:17 AM  
**To:** Miller, Michael F [Millermf@state.gov]; Heidema, Sarah J [HeidemaSJ@state.gov]; Windecker, Melissa A [WindeckerMA@state.gov]; Schiller, Rachel C [SchillerRC1@state.gov]  
**CC:** Brechwald, Matthew J (T) [BrechwaldMJ2@state.gov]  
**Subject:** CAT I-III

Apologize for not sending last night. A/S Cooper and Ford spoke late yesterday afternoon. No need for a meeting this am. Will advise if anything changes.

Best, Ed

Sent from my iPhone

Message

---

**From:** Khawam, Joseph N [KhawamJN@state.gov]  
**Sent:** 12/11/2019 4:26:01 PM  
**To:** Heidema, Sarah J [HeidemaSJ@state.gov]  
**Subject:** Cats I-III Final Rule Package

Hi Sarah: Would you have 2 minutes for a quick call on the status of the final rule package? I've cleared the package through Josh Dorosin in the L/FO. He had only one comment, which I've added the v6 AM document on the shared drive [here](#). I didn't implement because I thought you might want to control what information is add on the subject to the AM. I did, however, updated the Overview document (Tab 3). Josh noted that Marik would like to clear the whole package after the package is circulated for broader clearance and edits have been incorporated (will explain further on the phone). I also wanted to give you an update on the tabs after talking to the L special. I'm at 7-8546.

Thanks,  
Joe

Joseph N. Khawam  
Attorney-Adviser  
U.S. Department of State  
Office of the Legal Adviser (L/PM)  
2201 C Street NW, Suite 6420  
Washington, DC 20520  
Office: (202) 647-8546  
Opennet: [KhawamJN@state.gov](mailto:KhawamJN@state.gov)



SBU - LEGAL

## Message

**From:** Paul, Joshua M [PaulJM@state.gov]  
**Sent:** 12/11/2019 8:56:43 PM  
**To:** Miller, Michael F [Millermf@state.gov]; Carroll, Christienne [CarrollC@state.gov]; Heidema, Sarah J [HeidemaSJ@state.gov]  
**CC:** PM-CPA [PM-CPA@state.gov]; Kringel, Neal F [KringelNF@state.gov]; Webster, Hillary [WebsterH@state.gov]  
**Subject:** RE: Cats I-III Roundtable Tomorrow (12/12 at 3:00 p.m.)  
**Attachments:** RE: Details for CATS I-III Advocacy Groups Roundtable (Thursday, 12/12 at 3:00 p.m.)

Hi, replying on her behalf as Christienne is at a think tank event. Christienne did share this with Commerce – their response attached, FYSA.

---

**From:** Miller, Michael F <Millermf@state.gov>  
**Sent:** Wednesday, December 11, 2019 3:54 PM  
**To:** Carroll, Christienne <CarrollC@state.gov>; Heidema, Sarah J <HeidemaSJ@state.gov>  
**Cc:** Paul, Joshua M <PaulJM@state.gov>; PM-CPA <PM-CPA@state.gov>; Kringel, Neal F <KringelNF@state.gov>; Webster, Hillary <WebsterH@state.gov>  
**Subject:** RE: Cats I-III Roundtable Tomorrow (12/12 at 3:00 p.m.)

Thanks...we should be sure to share these with Commerce in advance also

---

**From:** Carroll, Christienne <CarrollC@state.gov>  
**Sent:** Wednesday, December 11, 2019 1:31 PM  
**To:** Miller, Michael F <Millermf@state.gov>; Heidema, Sarah J <HeidemaSJ@state.gov>  
**Cc:** Paul, Joshua M <PaulJM@state.gov>; PM-CPA <PM-CPA@state.gov>; Kringel, Neal F <KringelNF@state.gov>; Webster, Hillary <WebsterH@state.gov>  
**Subject:** RE: Cats I-III Roundtable Tomorrow (12/12 at 3:00 p.m.)

Mike,

In advance of tomorrow's roundtable, the NGOs/advocacy groups have shared some of the key questions they would like to discuss. Please see the list below:

### Identifying and Halting Problematic Firearms Exports

1. It appears the Commerce Department does not have many of the resources the State Department has to identify questionable firearms export applications, including regular use of the State Department's private Watch List, information of an applicant's US and foreign-controlled subsidiaries or affiliates, certifications from the foreign recipients that the firearms will not be diverted or misused, and any potential political contributions, commissions, or marketing fees, among others. How will the Commerce Department compensate for the loss of this information in preventing firearms from being diverted or misused?
2. What will be the requirements for US individuals or companies attempting to broker US or foreign-sourced firearms on the CCL in the United States or abroad? Will they still need to register and request pre-approval or a license? Will this be a US legal and regulatory requirement?
3. How will the Bureau of Industry and Security (BIS) and the Directorate of Defense Trade Controls (DDTC) collaborate with the Bureau of Democracy, Human Rights, and Labor (DRL) in reviewing proposed firearms export applications to countries with a poor human rights record? What happens if DRL requests Commerce to deny or modify a proposed firearms sale?

### Pre and Post End-Use Monitoring

4. It appears there are some key differences in how the Commerce and State Departments conduct end-use checks. According to public reports, the Commerce Department does not regularly conduct pre-export end-use checks and the post-export end-use checks are focused on exports through license exemptions or no-license required options. Will this change for the firearms moving to the CCL? If so, how will it change?

#### Public Transparency

5. The United States has agreed to many regional and global instruments that call for public transparency on firearms exports around the world. Several US statutes also require public transparency on firearms exports. How will the transfer of some firearms from the USML to the CCL affect these transparency requirements? Will the United States still publish an annual list of all authorized and exported firearms to every country in the world? Will it include firearms on the CCL in the new UN Register on Conventional Arms Transfer requirements to submit annual reports of firearms?

Best regards,

Christienne

---

**From:** Carroll, Christienne

**Sent:** Wednesday, December 11, 2019 10:01 AM

**To:** Miller, Michael F <MillerMF@state.gov>; Heidema, Sarah J <HeidemaSJ@state.gov>

**Cc:** Paul, Joshua M <PaulJM@state.gov>; PM-CPA <PM-CPA@state.gov>; Kringel, Neal F <KringelNF@state.gov>; Webster, Hillary <WebsterH@state.gov>

**Subject:** RE: Cats I-III Roundtable Tomorrow (12/12 at 3:00 p.m.)

I just wanted to add that Commerce will also have either Douglas R. Hassebrock (Acting Assistant Secretary for Export Enforcement) or John D. Sonderman (Acting Director, OEE) participate in tomorrow's roundtable.

Best,  
Christienne

---

**From:** Carroll, Christienne

**Sent:** Wednesday, December 11, 2019 9:03 AM

**To:** Miller, Michael F <MillerMF@state.gov>; Heidema, Sarah J <HeidemaSJ@state.gov>

**Cc:** Paul, Joshua M <PaulJM@state.gov>; PM-CPA <PM-CPA@state.gov>; Kringel, Neal F <KringelNF@state.gov>; Webster, Hillary <WebsterH@state.gov>

**Subject:** Cats I-III Roundtable Tomorrow (12/12 at 3:00 p.m.)

Mike,

I just wanted to provide more details for tomorrow's 3:00 p.m. roundtable discussion with NGOs/advocacy groups concerned about the Cats I-III proposed changes.

This is the confirmed list of guests:

Jeff Abramson, Arms Control Association  
Brittany Benowitz, American Bar Association  
Colby Goodman, Transparency International Defence and Security  
Christian Heyne, Brady Campaign  
Rachel Stohl, Stimson Center  
Matt Schroeder, Small Arms Survey

Also, from Commerce we'll have Steven Clagett, Timothy Mooney, and a rep from their export enforcement office. From DTSA, we will have Michael Laychak and Tracy Minnifield.

If it works well for you, we can have everyone introduce themselves at the top, have you offer some brief comments/thoughts, and then open it up for discussion/Q&A. We scheduled it to last an hour. We can remind everyone at the start that the discussion is off-the-record.

The NGOs ask that we keep most of the hour open for Q&A. I've heard they have several questions for Commerce and are particularly interested in brokering, end-use monitoring, and the differences between the current text and what was previously notified.

Thanks again for participating in this engagement. Please let me know if you have any questions or concerns.

Best,  
Christienne

**Christienne Carroll**  
Office of Congressional & Public Affairs  
Bureau of Political-Military Affairs (PM/CPA)  
U.S. Department of State



## Message

**From:** Timothy Mooney [Timothy.Mooney@bis.doc.gov]  
**Sent:** 12/11/2019 7:00:24 PM  
**To:** Carroll, Christienne [CarrollC@state.gov]; LKluttz@doc.gov; Douglas Hassebrock [Douglas.Hassebrock@bis.doc.gov]; Clagett, Steven [steven.clagett@bis.doc.gov]; John Sonderman [John.Sonderman@bis.doc.gov]; Jessica Curyto [Jessica.Curyto@bis.doc.gov]; Lopes, Alexander [alexander.lopes@bis.doc.gov]  
**CC:** Paul, Joshua M [PaulJM@state.gov]; Dombrowski, Eileen (Federal) [EDombrowski@doc.gov]  
**Subject:** RE: Details for CATS I-III Advocacy Groups Roundtable (Thursday, 12/12 at 3:00 p.m.)

---

**From:** Carroll, Christienne <CarrollC@state.gov>  
**Sent:** Wednesday, December 11, 2019 1:28 PM  
**To:** LKluttz@doc.gov; Timothy Mooney <Timothy.Mooney@bis.doc.gov>; Douglas Hassebrock <Douglas.Hassebrock@bis.doc.gov>; Steven Clagett <Steven.Clagett@bis.doc.gov>; John Sonderman <John.Sonderman@bis.doc.gov>; Jessica Curyto <Jessica.Curyto@bis.doc.gov>; Alexander Lopes <Alexander.Lopes@bis.doc.gov>  
**Cc:** Paul, Joshua M <PaulJM@state.gov>; Dombrowski, Eileen (Federal) <EDombrowski@doc.gov>  
**Subject:** RE: Details for CATS I-III Advocacy Groups Roundtable (Thursday, 12/12 at 3:00 p.m.)

Good afternoon,

In advance of tomorrow's roundtable, the NGOs/advocacy groups have shared some of the key questions they would like to discuss. Please see the list below:

#### Identifying and Halting Problematic Firearms Exports

1. It appears the Commerce Department does not have many of the resources the State Department has to identify questionable firearms export applications, including regular use of the State Department's private Watch List, information of an applicant's US and foreign-controlled subsidiaries or affiliates, certifications from the foreign recipients that the firearms will not be diverted or misused, and any potential political contributions, commissions, or marketing fees, among others. How will the Commerce Department compensate for the loss of this information in preventing firearms from being diverted or misused?
2. What will be the requirements for US individuals or companies attempting to broker US or foreign-sourced firearms on the CCL in the United States or abroad? Will they still need to register and request pre-approval or a license? Will this be a US legal and regulatory requirement?
3. How will the Bureau of Industry and Security (BIS) and the Directorate of Defense Trade Controls (DDTC) collaborate with the Bureau of Democracy, Human Rights, and Labor (DRL) in reviewing proposed firearms export applications to countries with a poor human rights record? What happens if DRL requests Commerce to deny or modify a proposed firearms sale?

#### Pre and Post End-Use Monitoring

4. It appears there are some key differences in how the Commerce and State Departments conduct end-use checks. According to public reports, the Commerce Department does not regularly conduct pre-export end-use checks and the post-export end-use checks are focused on exports through license exemptions or no-license required options. Will this change for the firearms moving to the CCL? If so, how will it change?

#### Public Transparency

5. The United States has agreed to many regional and global instruments that call for public transparency on firearms exports around the world. Several US statutes also require public transparency on firearms exports. How will the transfer of some firearms from the USML to the CCL affect these transparency requirements? Will the United States still publish an annual list of all authorized and exported firearms to every country in the world? Will it include firearms on the CCL in the new UN Register on Conventional Arms Transfer requirements to submit annual reports of firearms?

Best regards,

Christienne

---

**From:** Kluttz, Lawson (Federal) <[LKluttz@doc.gov](mailto:LKluttz@doc.gov)>

**Sent:** Wednesday, December 11, 2019 11:40 AM

**To:** Carroll, Christienne <[CarrollC@state.gov](mailto:CarrollC@state.gov)>; Mooney, Timothy <[Timothy.Mooney@bis.doc.gov](mailto:Timothy.Mooney@bis.doc.gov)>; Hassebrock, Douglas <[Douglas.Hassebrock@bis.doc.gov](mailto:Douglas.Hassebrock@bis.doc.gov)>; Clagett, Steven <[steven.clagett@bis.doc.gov](mailto:steven.clagett@bis.doc.gov)>; Sonderman, John <[John.Sonderman@bis.doc.gov](mailto:John.Sonderman@bis.doc.gov)>; Curyto, Jessica <[Jessica.Curyto@bis.doc.gov](mailto:Jessica.Curyto@bis.doc.gov)>; Lopes, Alexander <[alexander.lopes@bis.doc.gov](mailto:alexander.lopes@bis.doc.gov)>

**Cc:** Paul, Joshua M <[PaulJM@state.gov](mailto:PaulJM@state.gov)>; Dombrowski, Eileen (Federal) <[EDombrowski@doc.gov](mailto:EDombrowski@doc.gov)>

**Subject:** RE: Details for CATS I-III Advocacy Groups Roundtable (Thursday, 12/12 at 3:00 p.m.)

Looping in Eileen from OLIA.

---

**From:** Carroll, Christienne <[CarrollC@state.gov](mailto:CarrollC@state.gov)>

**Sent:** Wednesday, December 11, 2019 9:57 AM

**To:** Mooney, Timothy <[Timothy.Mooney@bis.doc.gov](mailto:Timothy.Mooney@bis.doc.gov)>; Hassebrock, Douglas <[Douglas.Hassebrock@bis.doc.gov](mailto:Douglas.Hassebrock@bis.doc.gov)>; Clagett, Steven <[Steven.Clagett@bis.doc.gov](mailto:Steven.Clagett@bis.doc.gov)>; Sonderman, John <[John.Sonderman@bis.doc.gov](mailto:John.Sonderman@bis.doc.gov)>; Curyto, Jessica <[Jessica.Curyto@bis.doc.gov](mailto:Jessica.Curyto@bis.doc.gov)>; Lopes, Alexander <[Alexander.Lopes@bis.doc.gov](mailto:Alexander.Lopes@bis.doc.gov)>

**Cc:** Kluttz, Lawson (Federal) <[LKluttz@doc.gov](mailto:LKluttz@doc.gov)>; Paul, Joshua M <[PaulJM@state.gov](mailto:PaulJM@state.gov)>

**Subject:** RE: Details for CATS I-III Advocacy Groups Roundtable (Thursday, 12/12 at 3:00 p.m.)

Great, thanks!

---

**From:** Timothy Mooney <[Timothy.Mooney@bis.doc.gov](mailto:Timothy.Mooney@bis.doc.gov)>

**Sent:** Wednesday, December 11, 2019 9:46 AM

**To:** Carroll, Christienne <[CarrollC@state.gov](mailto:CarrollC@state.gov)>; Douglas Hassebrock <[Douglas.Hassebrock@bis.doc.gov](mailto:Douglas.Hassebrock@bis.doc.gov)>; Clagett, Steven <[steven.clagett@bis.doc.gov](mailto:steven.clagett@bis.doc.gov)>; John Sonderman <[John.Sonderman@bis.doc.gov](mailto:John.Sonderman@bis.doc.gov)>; Jessica Curyto <[Jessica.Curyto@bis.doc.gov](mailto:Jessica.Curyto@bis.doc.gov)>; Lopes, Alexander <[alexander.lopes@bis.doc.gov](mailto:alexander.lopes@bis.doc.gov)>

**Cc:** LKluttz@doc.gov; Paul, Joshua M <[PaulJM@state.gov](mailto:PaulJM@state.gov)>

**Subject:** RE: Details for CATS I-III Advocacy Groups Roundtable (Thursday, 12/12 at 3:00 p.m.)

Christienne,

Steve and I from BIS Export Administration (EA) will also be there.

Tim

Tim Mooney  
Senior Export Policy Analyst  
Regulatory Policy Division  
Bureau of Industry and Security  
Tel. (202) 482-3371

---

**From:** Carroll, Christienne <CarrollC@state.gov>

**Sent:** Wednesday, December 11, 2019 9:43 AM

**To:** Douglas Hassebrock <Douglas.Hassebrock@bis.doc.gov>; Steven Clagett <Steven.Clagett@bis.doc.gov>; Timothy Mooney <Timothy.Mooney@bis.doc.gov>; John Sonderman <John.Sonderman@bis.doc.gov>; Jessica Curyto <Jessica.Curyto@bis.doc.gov>; Alexander Lopes <Alexander.Lopes@bis.doc.gov>

**Cc:** LKluttz@doc.gov; Paul, Joshua M <PaulJM@state.gov>

**Subject:** RE: Details for CATS I-III Advocacy Groups Roundtable (Thursday, 12/12 at 3:00 p.m.)

Thank you for the update.

Best regards,

Christienne

---

**From:** Douglas Hassebrock <Douglas.Hassebrock@bis.doc.gov>

**Sent:** Wednesday, December 11, 2019 9:33 AM

**To:** Carroll, Christienne <CarrollC@state.gov>; Clagett, Steven <steven.clagett@bis.doc.gov>; Timothy Mooney <Timothy.Mooney@bis.doc.gov>; John Sonderman <John.Sonderman@bis.doc.gov>; Jessica Curyto <Jessica.Curyto@bis.doc.gov>; Lopes, Alexander <alexander.lopes@bis.doc.gov>

**Cc:** LKluttz@doc.gov; Paul, Joshua M <PaulJM@state.gov>

**Subject:** RE: Details for CATS I-III Advocacy Groups Roundtable (Thursday, 12/12 at 3:00 p.m.)

From Commerce Export Enforcement it will be either:

Douglas R. Hassebrock, Acting Assistant Secretary for Export Enforcement

Or

John D. Sonderman, Acting Director, OEE

We just have to figure out some other meetings earlier in the day – and that is also the day of our Bureau Holiday Party.

--

Douglas R. Hassebrock  
Acting Assistant Secretary for  
Export Enforcement  
202-482-3618/5079

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---

**From:** Carroll, Christienne <CarrollC@state.gov>

**Sent:** Wednesday, December 11, 2019 9:28 AM

**To:** Steven Clagett <Steven.Clagett@bis.doc.gov>; Timothy Mooney <Timothy.Mooney@bis.doc.gov>; John Sonderman <John.Sonderman@bis.doc.gov>; Jessica Curyto <Jessica.Curyto@bis.doc.gov>; Alexander Lopes <Alexander.Lopes@bis.doc.gov>

**Cc:** LKluttz@doc.gov; Paul, Joshua M <PaulJM@state.gov>; Douglas Hassebrock <Douglas.Hassebrock@bis.doc.gov>

**Subject:** Details for CATS I-III Advocacy Groups Roundtable (Thursday, 12/12 at 3:00 p.m.)

Good morning,

I'm writing to follow-up with a few more details for tomorrow's (Thursday 12/12, 3:00 p.m.) roundtable discussion with NGOs/advocacy groups concerned about the Cats I-III proposed changes.

I will meet you in the lobby of the SA-1 annex building located at 2401 E Street, NW. The lobby is located just off the street-level driveway underpass off of E Street. Please bring government issued photo ID and arrive 10 to 15 minutes early to allow time for security processing. Although the discussion will be unclassified, we are using a secure conference room. There will a space available to lock up your cell phones just outside of the room.

This is the confirmed list of guests from NGOs/advocacy groups:

Jeff Abramson, Arms Control Association  
Brittany Benowitz, American Bar Association  
Colby Goodman, Transparency International Defence and Security  
Christian Heyne, Brady Campaign  
Rachel Stohl, Stimson Center  
Matt Schroeder, Small Arms Survey

From State, Acting DAS Mike Miller and (likely) Sarah Heidema will participate. Michael Laychak and Tracy Minnifield will participate from DTSA.

From Commerce, I have the following participants confirmed: Steven Clagett, Timothy Mooney, and a rep from the export enforcement office.

Please confirm whether anyone else from Commerce will join and who will attend from the export enforcement office.

The NGOs ask that we keep most of the hour open for Q&A. I've heard they have several questions for Commerce and are particularly interested in brokering, end-use monitoring, and the differences between the current text and what was previously notified. If I receive any further information on question topics, I'll be sure to forward those on to you. We scheduled the discussion for one hour. We will remind everyone at the start that the discussion is off-the-record.

Thanks again for participating in this engagement. Please let me know if you have any questions.

Best regards,

Christienne

**Christienne Carroll**

Office of Congressional & Public Affairs  
Bureau of Political-Military Affairs (PM/CPA)  
U.S. Department of State

☎ Phone: 202.736.4020 | ✉ e-mail: [carrolle@state.gov](mailto:carrolle@state.gov) | 🌐 Web: [www.state.gov](http://www.state.gov) | Twitter: [@StateDeptPM](https://twitter.com/StateDeptPM)

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Message

**From:** Miller, Michael F [MillerMF@state.gov]  
**Sent:** 12/11/2019 9:07:44 PM  
**To:** Paul, Joshua M [PaulJM@state.gov]  
**Subject:** RE: Path Forward on Cats 1-3

Yep, appreciated

SENSITIVE BUT UNCLASSIFIED

**From:** Paul, Joshua M <PaulJM@state.gov>  
**Sent:** Wednesday, December 11, 2019 4:00 PM  
**To:** Miller, Michael F <MillerMF@state.gov>  
**Subject:** RE: Path Forward on Cats 1-3

(I know that wasn't directed at me, but flagging that I sent an email about it at 12.40 and also spoke with Sarah prior to going up)

SENSITIVE BUT UNCLASSIFIED

**From:** Miller, Michael F <MillerMF@state.gov>  
**Sent:** Wednesday, December 11, 2019 3:58 PM  
**To:** Paul, Joshua M <PaulJM@state.gov>; Heidema, Sarah J <HeidemaSJ@state.gov>; Windecker, Melissa A <WindeckerMA@state.gov>  
**Subject:** RE: Path Forward on Cats 1-3

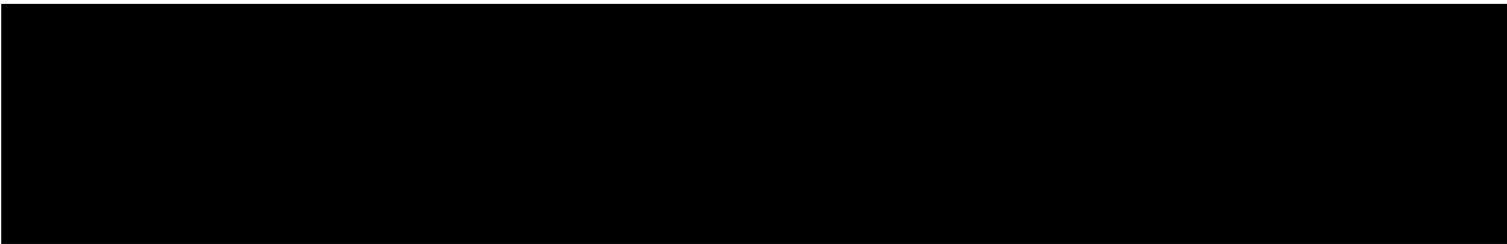
Funny....never saw an invite from T staff for a meeting on this today.

MM

SENSITIVE BUT UNCLASSIFIED

**From:** Paul, Joshua M <PaulJM@state.gov>  
**Sent:** Wednesday, December 11, 2019 3:45 PM  
**To:** Miller, Michael F <MillerMF@state.gov>; Heidema, Sarah J <HeidemaSJ@state.gov>; Hart, Robert L <HartRL@state.gov>  
**Cc:** Cooper, R. Clarke <CooperRC@state.gov>; Abisellan, Eduardo <AbisellanE@state.gov>; Giannangeli, Giulia R <GiannangeliGR@state.gov>; Kaldahl, Ryan M <KaldahlRM@state.gov>; PM-CPA <PM-CPA@state.gov>; Goulding, Tamara D <GouldingTD@state.gov>; Windecker, Melissa A <WindeckerMA@state.gov>; Khawam, Joseph N <KhawamJN@state.gov>; Brechwald, Matthew J (T) <BrechwaldMJ2@state.gov>; Robbins, Hailey <RobbinsH2@state.gov>  
**Subject:** Path Forward on Cats 1-3  
**Importance:** High

Dear all,



Those on the cc' line, please correct me if anything above doesn't match your understanding of what was agreed.

If DDTC has questions, I'm happy to provide an explanation of why this was the path forward selected – please give me a call at your convenience.

Josh

---

**Josh Paul**

Director, Congressional & Public Affairs  
Bureau of Political-Military Affairs (PM/CPA)  
U.S. Department of State

☎ Phone: 202.647.7878 | 📱 BlackBerry: [REDACTED] | 📠 Fax: 202.647.4055

✉ e-mail: [PaulJM@State.Gov](mailto:PaulJM@State.Gov) | 🌐 Web: [www.state.gov/t/pm/](http://www.state.gov/t/pm/)

🐦 <http://twitter.com/StateDeptPM>

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SENSITIVE BUT UNCLASSIFIED

## Message

**From:** Paul, Joshua M [PaulJM@state.gov]  
**Sent:** 12/11/2019 9:15:39 PM  
**To:** Heidema, Sarah J [HeidemaSJ@state.gov]; Miller, Michael F [MillerMF@state.gov]  
**CC:** Goulding, Tamara D [GouldingTD@state.gov]  
**Subject:** RE: Path Forward on Cats 1-3

Yep, calling them now.

SENSITIVE BUT UNCLASSIFIED

**From:** Heidema, Sarah J <HeidemaSJ@state.gov>  
**Sent:** Wednesday, December 11, 2019 4:15 PM  
**To:** Paul, Joshua M <PaulJM@state.gov>; Miller, Michael F <MillerMF@state.gov>  
**Cc:** Goulding, Tamara D <GouldingTD@state.gov>  
**Subject:** RE: Path Forward on Cats 1-3

Suggest you contact BIS Public affairs folks that you work with

SENSITIVE BUT UNCLASSIFIED

**From:** Paul, Joshua M <PaulJM@state.gov>  
**Sent:** Wednesday, December 11, 2019 3:51 PM  
**To:** Miller, Michael F <MillerMF@state.gov>; Heidema, Sarah J <HeidemaSJ@state.gov>  
**Cc:** Goulding, Tamara D <GouldingTD@state.gov>  
**Subject:** FW: Path Forward on Cats 1-3  
**Importance:** High

Further to this, can I trouble DDTC to reach out to Commerce via your channels to put the wheels in motion for the Menendez engagement while H does the same through Leg Affairs channels?

SENSITIVE BUT UNCLASSIFIED

**From:** Paul, Joshua M <PaulJM@state.gov>  
**Sent:** Wednesday, December 11, 2019 3:45 PM  
**To:** Miller, Michael F <MillerMF@state.gov>; Heidema, Sarah J <HeidemaSJ@state.gov>; Hart, Robert L <HartRL@state.gov>  
**Cc:** Cooper, R. Clarke <CooperRC@state.gov>; Abisellan, Eduardo <AbisellanE@state.gov>; Giannangeli, Giulia R <GiannangeliGR@state.gov>; Kaldahl, Ryan M <KaldahlRM@state.gov>; PM-CPA <PM-CPA@state.gov>; Goulding, Tamara D <GouldingTD@state.gov>; Windecker, Melissa A <WindeckerMA@state.gov>; Khawam, Joseph N <KhawamJN@state.gov>; Brechwald, Matthew J (T) <BrechwaldMJ2@state.gov>; Robbins, Hailey <RobbinsH2@state.gov>  
**Subject:** Path Forward on Cats 1-3  
**Importance:** High

Dear all,



Those on the cc' line, please correct me if anything above doesn't match your understanding of what was agreed.

If DDTC has questions, I'm happy to provide an explanation of why this was the path forward selected – please give me a call at your convenience.

Josh

---

**Josh Paul**

Director, Congressional & Public Affairs  
Bureau of Political-Military Affairs (PM/CPA)  
U.S. Department of State

☎ Phone: 202.647.7878 | ① BlackBerry: [REDACTED] 📠 Fax: 202.647.4055

✉ e-mail: [PaulJM@State.Gov](mailto:PaulJM@State.Gov) | 🌐 Web: [www.state.gov/t/pm/](http://www.state.gov/t/pm/)

🐦 <http://twitter.com/StateDeptPM>

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Message

**From:** Kovar, Jeffrey D [KovarJD@state.gov]  
**Sent:** 12/11/2019 9:19:28 PM  
**To:** Khawam, Joseph N [KhawamJN@state.gov]; Dorosin, Joshua L [DorosinJL@state.gov]; Pompian, Shawn M [PompianSM@state.gov]  
**Subject:** Re: Path Forward on Cats 1-3

Sounds sensible.

Get Outlook for iOS

---

**From:** Khawam, Joseph N <KhawamJN@state.gov>  
**Sent:** Wednesday, December 11, 2019 9:55:54 PM  
**To:** Dorosin, Joshua L <DorosinJL@state.gov>; Kovar, Jeffrey D <KovarJD@state.gov>; Pompian, Shawn M <PompianSM@state.gov>  
**Subject:** FW: Path Forward on Cats 1-3

FYI

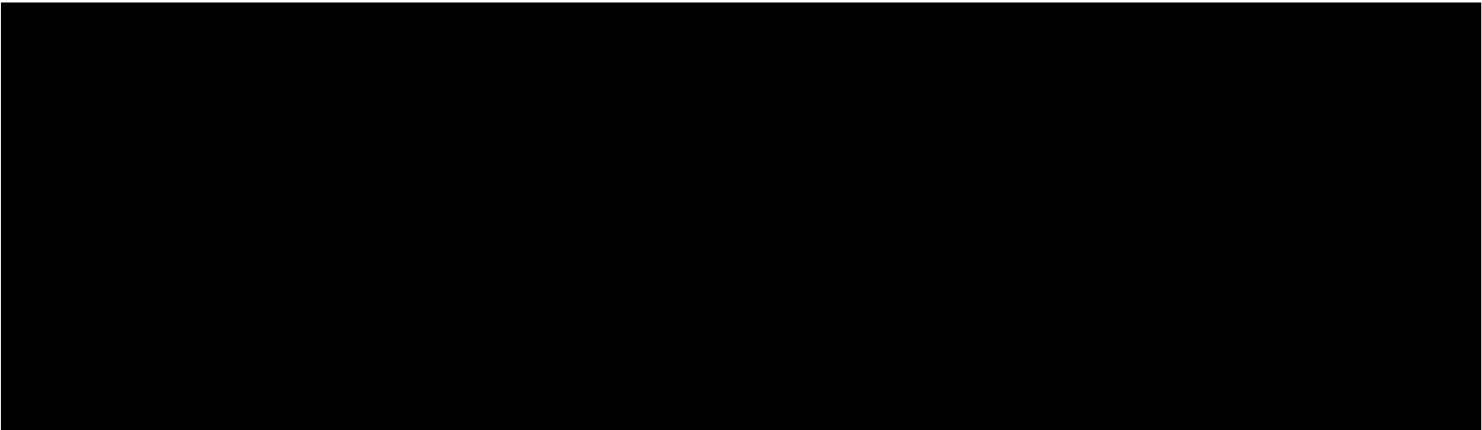
Joseph N. Khawam  
Office of the Legal Adviser (L/PM)

SENSITIVE BUT UNCLASSIFIED

---

**From:** Paul, Joshua M <PaulJM@state.gov>  
**Sent:** Wednesday, December 11, 2019 3:45 PM  
**To:** Miller, Michael F <MillerMF@state.gov>; Heidema, Sarah J <HeidemaSJ@state.gov>; Hart, Robert L <HartRL@state.gov>  
**Cc:** Cooper, R. Clarke <CooperRC@state.gov>; Abisellan, Eduardo <AbisellanE@state.gov>; Giannangeli, Giulia R <GiannangeliGR@state.gov>; Kaldahl, Ryan M <KaldahlRM@state.gov>; PM-CPA <PM-CPA@state.gov>; Goulding, Tamara D <GouldingTD@state.gov>; Windecker, Melissa A <WindeckerMA@state.gov>; Khawam, Joseph N <KhawamJN@state.gov>; Brechwald, Matthew J (T) <BrechwaldMJ2@state.gov>; Robbins, Hailey <RobbinsH2@state.gov>  
**Subject:** Path Forward on Cats 1-3  
**Importance:** High

Dear all,



Those on the cc' line, please correct me if anything above doesn't match your understanding of what was agreed.

If DDTC has questions, I'm happy to provide an explanation of why this was the path forward selected – please give me a call at your convenience.

Josh

---

**Josh Paul**

Director, Congressional & Public Affairs  
Bureau of Political-Military Affairs (PM/CPA)  
U.S. Department of State

☎ Phone: 202.647.7878 | 📱 BlackBerry: [REDACTED] 📠 Fax: 202.647.4055

✉ e-mail: [PaulJM@State.Gov](mailto:PaulJM@State.Gov) | 🌐 Web: [www.state.gov/t/pm/](http://www.state.gov/t/pm/)

🐦 <http://twitter.com/StateDeptPM>

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ROBERT MENENDEZ, NEW JERSEY  
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 JEANNE SHAHEEN, NEW HAMPSHIRE  
 CHRISTOPHER A. COONS, DELAWARE  
 TOM UDALL, NEW MEXICO  
 CHRISTOPHER MURPHY, CONNECTICUT  
 TIM Kaine, VIRGINIA  
 EDWARD J. MARKEY, MASSACHUSETTS  
 JEFF MERKLEY, OREGON  
 CORY A. BOOKER, NEW JERSEY

## United States Senate

COMMITTEE ON FOREIGN RELATIONS

WASHINGTON, DC 20510-6225

December 10, 2019

The Honorable Mike Pompeo  
 Secretary of State  
 U.S. Department of State  
 2201 C Street, N.W.  
 Washington, D.C.

Dear Secretary Pompeo:

On February 4, 2019, I received congressional notification from the Department, pursuant to the authority of section 38(f) of the Arms Export Control Act (AECA), for the proposed transfer of responsibility for the export control of firearms and ammunition from the United States Munitions list (USML) to the Commerce Control List (CCL). I wrote to inform you on February 22 that I was placing a hold on that congressional notification. On November 12, 2019, the Department submitted a new 38(f) notification in response to a proposed regulatory change by the Department of Commerce. I write to inform you that I am placing a hold on the November 12, 2019 notification for the reasons detailed below.

As you no doubt are aware, firearms and ammunition – especially those derived from military models and widely in-use by military and security services - are uniquely dangerous. They are easily modified, diverted, and proliferated, and are the primary means of injury, death, and destruction in civil and military conflicts throughout the world. As such, they should be subject to more rigorous export controls and oversight, not less.

Combat rifles, including those commonly known as “sniper rifles,” should not be removed from the USML, nor should rifles of any type that are U.S. military-standard 5.56 (and especially .50 caliber). Semi-automatic firearms should also not be removed, and neither should related equipment, ammunition, or associated manufacturing equipment, technology, or technical data.

My hold will remain in place until such time as the issue identified below is sufficiently addressed.

### 1) Removal of Firearms Exports from Congressional Information and Review

The AECA provides for congressional review of exports of lethal weapons to ensure that they comport with U.S. foreign policy interests. As you know, Congress took action in 2002 to ensure that the sale and export of these weapons would receive closer scrutiny and oversight, including by amending the AECA to set a lower congressional reporting threshold (from \$14 million to \$1 million) specifically for firearms on the USML. Moving such firearms from the USML to the CCL would effectively eliminate congressional oversight of exports of these weapons by eliminating this congressional reporting requirement, and would be directly contrary to congressional intent.

To that end, I reiterate my demand from my previous letter: the Senate Foreign Relations and House Foreign Affairs committees must be immediately informed of any proposed license to export firearms formerly controlled on the USML at the appropriate dollar threshold mandated in the Arms Export Control Act. This concern must be satisfactorily addressed before I will lift my hold.

2) Proliferation of 3D Gun Printing Technical Information

In my February letter, I expressed that there is a serious risk that this transfer will open the floodgates of information for the 3D printing of nearly-undetectable firearms and components by foreign persons and terrorists that intend to harm U.S. citizens and interests. The Department of Commerce claimed that it could not, by its own regulations, prevent the publication, including on the Internet for global consumption, of technical information and blueprint files that would enable this 3D production, if such information has once been published, even illegally. I wrote that:

*Ultimately, the specific provision of the Export Administration Regulations that is cited as preventing Commerce from controlling the publication of 3D Printed guns in the longer term needs to be rewritten to permit this control. Until that occurs, or until Commerce determines that such technical information can and will be controlled, this technical information cannot and should not be transferred from USML to the CCL.*

I understand that the Department of Commerce has now decided to alter its regulations to address this concern; technical information related to the manufacture of firearms, to include 3D-printing information, proposed for transfer to the CCL will be prohibited from publication or Internet posting without a license. That does seek to address my previously-expressed concern, and I will not insist on this to lift my hold. However, I note that this improvement could easily be undone through a simple regulatory change in the future that would not even require congressional notification or review; a statutory authority to maintain such licensing, or better yet, an outright prohibition, may be required. Moreover, Commerce must maintain a policy of "presumption of denial" for any license application sought to publish or post such information, and pursue any violations vigorously.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert Menendez". The signature is fluid and cursive, with a large, stylized "R" and "M".

Robert Menendez  
Ranking Member

Message

---

**From:** Webster, Hillary [WebsterH@state.gov]  
**Sent:** 12/12/2019 5:48:45 PM  
**To:** Miller, Michael F [Millermf@state.gov]  
**Subject:** OD/Div Chief Meeting Building Blocks

Hi DAS Miller,

I don't have much for today's leadership meeting, pasting below a few suggested topics:

---

1. Share PM/Front Office Updates
  2. Share you hope everyone enjoyed the holiday parties this week and thank folks who worked to plan them
    - a. Hats off to Management for a great PM Party - Paula did more than anyone knows for this event (I know food ran low but I think people had a really fun time and I think Paula has been on the receiving end of some criticism so I am feeling a little protective of her)
    - b. Thank Cat and team for DDTC holiday party (zero need for Deloitte to get recognition for helping with this but think accolades to Cat would go a long way, and with both Yolandas, Demetrice, and Jarvon)
  3. Reference CATS I-III Round Table scheduled for this afternoon and any other relevant updates on this topic (although perhaps Sarah should speak to this in more detail)
  4. Communicate that you and Neal met with Cherokee today – Neal may want to share more details but you're mentioning it helps convey that this is still a priority
- 

Thanks,

Hillary Webster  
T/PM DDTC  
Deloitte Consulting  
Desk Phone: 202 663 3264  
Mobile: [REDACTED]

Message

---

**From:** Miller, Michael F [MillerMF@state.gov]  
**Sent:** 12/12/2019 5:49:33 PM  
**To:** Carroll, Christienne [CarrollC@state.gov]  
**Subject:** RE: Cats I-III Roundtable Tomorrow (12/12 at 3:00 p.m.)

Thank you

---

**From:** Carroll, Christienne <CarrollC@state.gov>  
**Sent:** Thursday, December 12, 2019 12:47 PM  
**To:** Miller, Michael F <MillerMF@state.gov>; Heidema, Sarah J <HeidemaSJ@state.gov>  
**Cc:** Paul, Joshua M <PaulJM@state.gov>; PM-CPA <PM-CPA@state.gov>; Kringel, Neal F <KringelNF@state.gov>; Webster, Hillary <WebsterH@state.gov>  
**Subject:** RE: Cats I-III Roundtable Tomorrow (12/12 at 3:00 p.m.)

Mike,

It has not been made public.

-Christienne

---

**From:** Miller, Michael F <MillerMF@state.gov>  
**Sent:** Thursday, December 12, 2019 12:35 PM  
**To:** Carroll, Christienne <CarrollC@state.gov>; Heidema, Sarah J <HeidemaSJ@state.gov>  
**Cc:** Paul, Joshua M <PaulJM@state.gov>; PM-CPA <PM-CPA@state.gov>; Kringel, Neal F <KringelNF@state.gov>; Webster, Hillary <WebsterH@state.gov>  
**Subject:** RE: Cats I-III Roundtable Tomorrow (12/12 at 3:00 p.m.)

Thanks...question for the group – has Sen. Menendez' letter from this week been made public? I looked around online, but didn't see anything in a statement, etc. from his office or accounts – but I'm not the best with the Twitters.

---

**From:** Carroll, Christienne <CarrollC@state.gov>  
**Sent:** Wednesday, December 11, 2019 10:01 AM  
**To:** Miller, Michael F <MillerMF@state.gov>; Heidema, Sarah J <HeidemaSJ@state.gov>  
**Cc:** Paul, Joshua M <PaulJM@state.gov>; PM-CPA <PM-CPA@state.gov>; Kringel, Neal F <KringelNF@state.gov>; Webster, Hillary <WebsterH@state.gov>  
**Subject:** RE: Cats I-III Roundtable Tomorrow (12/12 at 3:00 p.m.)

I just wanted to add that Commerce will also have either Douglas R. Hassebrock (Acting Assistant Secretary for Export Enforcement) or John D. Sonderman (Acting Director, OEE) participate in tomorrow's roundtable.

Best,  
Christienne

---

**From:** Carroll, Christienne  
**Sent:** Wednesday, December 11, 2019 9:03 AM  
**To:** Miller, Michael F <MillerMF@state.gov>; Heidema, Sarah J <HeidemaSJ@state.gov>  
**Cc:** Paul, Joshua M <PaulJM@state.gov>; PM-CPA <PM-CPA@state.gov>; Kringel, Neal F <KringelNF@state.gov>;

Webster, Hillary <WebsterH@state.gov>

**Subject:** Cats I-III Roundtable Tomorrow (12/12 at 3:00 p.m.)

Mike,

I just wanted to provide more details for tomorrow's 3:00 p.m. roundtable discussion with NGOs/advocacy groups concerned about the Cats I-III proposed changes.

This is the confirmed list of guests:

Jeff Abramson, Arms Control Association  
Brittany Benowitz, American Bar Association  
Colby Goodman, Transparency International Defence and Security  
Christian Heyne, Brady Campaign  
Rachel Stohl, Stimson Center  
Matt Schroeder, Small Arms Survey

Also, from Commerce we'll have Steven Clagett, Timothy Mooney, and a rep from their export enforcement office. From DTSA, we will have Michael Laychak and Tracy Minnifield.

If it works well for you, we can have everyone introduce themselves at the top, have you offer some brief comments/thoughts, and then open it up for discussion/Q&A. We scheduled it to last an hour. We can remind everyone at the start that the discussion is off-the-record.

The NGOs ask that we keep most of the hour open for Q&A. I've heard they have several questions for Commerce and are particularly interested in brokering, end-use monitoring, and the differences between the current text and what was previously notified.

Thanks again for participating in this engagement. Please let me know if you have any questions or concerns.

Best,  
Christienne

**Christienne Carroll**  
Office of Congressional & Public Affairs  
Bureau of Political-Military Affairs (PM/CPA)  
U.S. Department of State



Message

---

**From:** Johanna Reeves [jreeves@reevesdola.com]  
**Sent:** 12/13/2019 6:39:27 PM  
**To:** Millermf@state.gov  
**Subject:** 38(f) Notification to Congress

Hi, Mike.

I apologize for the intrusion this Friday afternoon, but I am wondering if you have any information on the recent 38(f) notification to Congress on the intent to revise Cats. I-III. I have heard that Senator Menendez has placed a new hold, but I am not able to locate it in the public channels. Do you know if this is accurate and, if so, whether rule publication will proceed?

Thank you for your kind assistance!  
Johanna



**Johanna Reeves**  
Attorney at Law  
Direct Dial: 202.715.9941  
Admitted in New York and Washington, DC  
[jreeves@reevesdola.com](mailto:jreeves@reevesdola.com)

Reeves & Dola, LLP  
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## Message

**From:** Miller, Michael F [MillerMF@state.gov]  
**Sent:** 12/13/2019 9:07:36 PM  
**To:** Hamilton, Catherine E [HamiltonCE@state.gov]  
**Subject:** RE: CPA Media Monitoring: Senate Foreign Relations Committee: Menendez to Block Trump Admin from Exporting U.S. Firearms with less Oversight and Accountability

**From:** Marquis, Matthew R <MarquisMR@state.gov>  
**Sent:** Friday, December 13, 2019 4:01 PM  
**To:** PM-DTCP-Tasking-DL <PM-DTCP-Tasking-DL@state.gov>  
**Cc:** PM-CPA <PM-CPA@state.gov>; Miller, Michael F <MillerMF@state.gov>; Goulding, Tamara D <GouldingTD@state.gov>  
**Subject:** CPA Media Monitoring: Senate Foreign Relations Committee: Menendez to Block Trump Admin from Exporting U.S. Firearms with less Oversight and Accountability



**Menendez to Block Trump Admin from Exporting U.S. Firearms with less Oversight and Accountability**  
**By Senator Bob Menendez**  
**13 December 2019**

WASHINGTON – U.S. Senator Bob Menendez (D-N.J.), Ranking Member of the Senate Foreign Relations Committee, today announced he will again block the Trump Administration from drastically weakening firearms export regulations, stopping an imminent change to strip oversight authority of U.S. firearm sales abroad from the State Department’s Munitions List (USML).

This is the second time Senator Menendez will prevent the transfer to the Commerce Department’s less-strict export system over concerns that the Trump Administration is seeking to eliminate meaningful congressional oversight of the proposed foreign sales of these lethal weapons.

“As you no doubt are aware, firearms and ammunition – especially those derived from military models and widely in-use by military and security services – are uniquely dangerous,” wrote Senator Menendez in a letter addressed to Secretary of State Mike Pompeo. “They are easily modified, diverted, and proliferated, and are the primary means of injury, death, and destruction in civil and military conflicts throughout the world. As such, they should be subject to more rigorous export controls and oversight, not less.”

The current review process allows Congress notification and review of proposed sales of firearms, including the export of assault-style semi-automatic rifles and sniper-rifles. That process has halted major proposed arm sales by the White House, including a sale of automatic combat rifles to the Philippine police, who were caught executing civilians without trial, and semiautomatic pistols to the bodyguards of Turkey’s President who violently attacked peaceful protestors in Washington, D.C. without consequence.

As the top Senate Democrat with oversight on U.S. firearms exports and weapons sales, Menendez first refused to clear on the proposed transfer at the beginning of this year, demanding the Trump administration be more forthcoming in responding to his questions around the proposed transfer. Since then, and in response, the Commerce Department has agreed to impose a far more restrictive policy on the publication of instructions for 3D-printed guns on the Internet.

Menendez, however, raised concerns over the new proposed change and indicated his hold will remain in place until the Department guarantees that the Senate Foreign Relations Committee and the House Foreign Affairs Committees are “immediately informed of any proposed license to export firearms formerly controlled on the USML at the appropriate dollar threshold mandated in the Arms Export Control Act.”

Menendez’s efforts follow new statutory requirements on the President and Secretary of Commerce demanding they fully control emerging technologies like 3D printing. 3D printing of nearly-undetectable guns by terrorist groups present a real and present danger to American embassies, military bases, and passenger air carriers abroad.

Earlier this year, Senator Menendez separately led a group of his colleagues in introducing the Stopping the Traffic in Overseas Proliferation of Ghost Guns Act, legislation that would statutorily prohibit this transfer, and therefore maintain the strict controls over firearms and 3D printed “ghost gun” information that currently exist on the United States Munitions List.

Additionally, as a champion for major gun safety reforms, Sen. Menendez was an outspoken opponent of the Trump Administration’s action last year allowing a Texas company to publish the downloadable designs for 3D printable firearms, which was later blocked by a federal court, and has taken a series of additional actions to prevent the proliferation of untraceable, undetectable 3D printed guns. He called on Secretary of State Mike Pompeo to intervene and reverse his department’s decision and spoke out about his decision at a hearing of the Senate Foreign Relations Committee.

A copy of the Senator’s letter to Secretary Pompeo can be found below:

The Honorable Michael R. Pompeo  
Secretary of State  
The State Department

Dear Secretary Pompeo:

On February 4, 2019, I received congressional notification from the Department, pursuant to the authority of section 38(f) of the Arms Export Control Act (AECA), for the proposed transfer of responsibility for the export control of firearms and ammunition from the United States Munitions list (USML) to the Commerce Control List (CCL). I wrote to inform you on February 22 that I was placing a hold on that congressional notification. On November 12, 2019, the Department submitted a new 38(f) notification in response to a proposed regulatory change by the Department of Commerce. I write to inform you that I am placing a hold on the November 12, 2019 notification for the reasons detailed below.

As you no doubt are aware, firearms and ammunition – especially those derived from military models and widely in-use by military and security services - are uniquely dangerous. They are easily modified, diverted, and proliferated, and are the primary means of injury, death, and destruction in civil and military conflicts throughout the world. As such, they should be subject to more rigorous export controls and oversight, not less.

Combat rifles, including those commonly known as “sniper rifles,” should not be removed from the USML, nor should rifles of any type that are U.S. military-standard 5.56 (and especially .50 caliber). Semi-automatic firearms should also not be removed, and neither should related equipment, ammunition, or associated manufacturing equipment, technology, or technical data.

My hold will remain in place until such time as the issue identified below is sufficiently addressed.

- 1) Removal of Firearms Exports from Congressional Information and Review

The AECA provides for congressional review of exports of lethal weapons to ensure that they comport with U.S. foreign policy interests. As you know, Congress took action in 2002 to ensure that the sale and export of these weapons would receive closer scrutiny and oversight, including by amending the AECA to set a lower congressional reporting threshold (from \$14 million to \$1 million) specifically for firearms on the USML. Moving such firearms from the USML to the CCL would effectively eliminate congressional oversight of exports of these weapons by eliminating this congressional reporting requirement, and would be directly contrary to congressional intent.

To that end, I reiterate my demand from my previous letter: the Senate Foreign Relations and House Foreign Affairs committees must be immediately informed of any proposed license to export firearms formerly controlled on the USML at the appropriate dollar threshold mandated in the Arms Export Control Act. This concern must be satisfactorily addressed before I will lift my hold.

## 2) Proliferation of 3D Gun Printing Technical Information

In my February letter, I expressed that there is a serious risk that this transfer will open the floodgates of information for the 3D printing of nearly-undetectable firearms and components by foreign persons and terrorists that intend to harm U.S. citizens and interests. The Department of Commerce claimed that it could not, by its own regulations, prevent the publication, including on the Internet for global consumption, of technical information and blueprint files that would enable this 3D production, if such information has once been published, even illegally. I wrote that:

Ultimately, the specific provision of the Export Administration Regulations that is cited as preventing Commerce from controlling the publication of 3D Printed guns in the longer term needs to be rewritten to permit this control. Until that occurs, or until Commerce determines that such technical information can and will be controlled, this technical information cannot and should not be transferred from USML to the CCL.

I understand that the Department of Commerce has now decided to alter its regulations to address this concern; technical information related to the manufacture of firearms, to include 3D-printing information, proposed for transfer to the CCL will be prohibited from publication or Internet posting without a license. That does seek to address my previously-expressed concern, and I will not insist on this to lift my hold. However, I note that this improvement could easily be undone through a simple regulatory change in the future that would not even require congressional notification or review; a statutory authority to maintain such licensing, or better yet, an outright prohibition, may be required. Moreover, Commerce must maintain a policy of “presumption of denial” for any license application sought to publish or post such information, and pursue any violations vigorously.

Sincerely,

Link: <https://www.foreign.senate.gov/press/ranking/release/menendez-to-block-trump-admin-from-exporting-us-firearms-with-less-oversight-and-accountability>

---

### Matthew Marquis

Office of Congressional & Public Affairs  
Bureau of Political-Military Affairs (PM/CPA)  
U.S. Department of State

Phone: 202.647.6968

e-mail: [MarquisMR@state.gov](mailto:MarquisMR@state.gov) Web: [PM Homepage](#) [Twitter: [@StateDeptPM](#)]

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## Message

**From:** Heidema, Sarah J [HeidemaSJ@state.gov]  
**Sent:** 12/13/2019 9:18:21 PM  
**To:** McKeeby, David I [McKeebyDI@state.gov]; Marquis, Matthew R [MarquisMR@state.gov]; Hart, Robert L [HartRL@state.gov]  
**CC:** PM-CPA [PM-CPA@state.gov]; Miller, Michael F [MillerMF@state.gov]; Goulding, Tamara D [GouldingTD@state.gov]  
**Subject:** Re: CPA Media Monitoring: Senate Foreign Relations Committee: Menendez to Block Trump Admin from Exporting U.S. Firearms with less Oversight and Accountability

I've received 3 phone calls from lawyers for gun folks and one from NSSF. We need to figure out what we are going to tell folks. Maybe we can talk on Monday?

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**Sent:** Friday, December 13, 2019 4:04:14 PM  
**To:** Marquis, Matthew R <MarquisMR@state.gov>; PM-DTCP-Tasking-DL <PM-DTCP-Tasking-DL@state.gov>  
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**Subject:** RE: CPA Media Monitoring: Senate Foreign Relations Committee: Menendez to Block Trump Admin from Exporting U.S. Firearms with less Oversight and Accountability

...and Patricia Zengerle at Reuters just came in with our first inquiry.

Best,  
 Dave

---

**David I. McKeeby**  
 Deputy Director  
 Office of Congressional & Public Affairs  
 Bureau of Political-Military Affairs (PM/CPA)  
 U.S. Department of State

Phone: 202.647.8757 | BlackBerry: [REDACTED]  
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Sarah:

On the press side, we're simply going to stick with what we've been saying all along:



Best,  
Dave

---

**David I. McKeeby**  
Deputy Director  
Office of Congressional & Public Affairs  
Bureau of Political-Military Affairs (PM/CPA)  
U.S. Department of State

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...and Patricia Zengerle at Reuters just came in with our first inquiry.

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Menendez's efforts follow new statutory requirements on the President and Secretary of Commerce demanding they fully control emerging technologies like 3D printing. 3D printing of nearly-undetectable guns by terrorist groups present a real and present danger to American embassies, military bases, and passenger air carriers abroad.

Earlier this year, Senator Menendez separately led a group of his colleagues in introducing the Stopping the Traffic in Overseas Proliferation of Ghost Guns Act, legislation that would statutorily prohibit this transfer, and therefore maintain the strict controls over firearms and 3D printed "ghost gun" information that currently exist on the United States Munitions List.

Additionally, as a champion for major gun safety reforms, Sen. Menendez was an outspoken opponent of the Trump Administration's action last year allowing a Texas company to publish the downloadable designs for 3D printable firearms, which was later blocked by a federal court, and has taken a series of additional actions to prevent the proliferation of untraceable, undetectable 3D printed guns. He called on Secretary of State Mike Pompeo to intervene and reverse his department's decision and spoke out about his decision at a hearing of the Senate Foreign Relations Committee.

A copy of the Senator's letter to Secretary Pompeo can be found below:

The Honorable Michael R. Pompeo  
Secretary of State  
The State Department

Dear Secretary Pompeo:

On February 4, 2019, I received congressional notification from the Department, pursuant to the authority of section 38(f) of the Arms Export Control Act (AECA), for the proposed transfer of responsibility for the export control of firearms and ammunition from the United States Munitions list (USML) to the Commerce Control List (CCL). I wrote to inform you on February 22 that I was placing a hold on that congressional notification. On November 12, 2019, the Department submitted a new 38(f) notification in response to a proposed regulatory change by the Department of Commerce. I write to inform you that I am placing a hold on the November 12, 2019 notification for the reasons detailed below.

As you no doubt are aware, firearms and ammunition – especially those derived from military models and widely in-use by military and security services - are uniquely dangerous. They are easily modified, diverted, and proliferated, and are the primary means of injury, death, and destruction in civil and military conflicts throughout the world. As such, they should be subject to more rigorous export controls and oversight, not less.

Combat rifles, including those commonly known as “sniper rifles,” should not be removed from the USML, nor should rifles of any type that are U.S. military-standard 5.56 (and especially .50 caliber). Semi-automatic firearms should also not be removed, and neither should related equipment, ammunition, or associated manufacturing equipment, technology, or technical data.

My hold will remain in place until such time as the issue identified below is sufficiently addressed.

1. Removal of Firearms Exports from Congressional Information and Review

The AECA provides for congressional review of exports of lethal weapons to ensure that they comport with U.S. foreign policy interests. As you know, Congress took action in 2002 to ensure that the sale and export of these weapons would receive closer scrutiny and oversight, including by amending the AECA to set a lower congressional reporting threshold (from \$14 million to \$1 million) specifically for firearms on the USML. Moving such firearms from the USML to the CCL would effectively eliminate congressional oversight of exports of these weapons by eliminating this congressional reporting requirement, and would be directly contrary to congressional intent.

To that end, I reiterate my demand from my previous letter: the Senate Foreign Relations and House Foreign Affairs committees must be immediately informed of any proposed license to export firearms formerly controlled on the USML at the appropriate dollar threshold mandated in the Arms Export Control Act. This concern must be satisfactorily addressed before I will lift my hold.

2. Proliferation of 3D Gun Printing Technical Information

In my February letter, I expressed that there is a serious risk that this transfer will open the floodgates of information for the 3D printing of nearly-undetectable firearms and components by foreign persons and terrorists that intend to harm U.S. citizens and interests. The Department of Commerce claimed that it could not, by its own regulations, prevent the publication, including on the Internet for global consumption, of technical information and blueprint files that would enable this 3D production, if such information has once been published, even illegally. I wrote that:

Ultimately, the specific provision of the Export Administration Regulations that is cited as preventing Commerce from controlling the publication of 3D Printed guns in the longer term needs to be rewritten to permit this control. Until that occurs, or until Commerce determines that such technical information can and will be controlled, this technical information cannot and should not be transferred from USML to the CCL.

I understand that the Department of Commerce has now decided to alter its regulations to address this concern; technical information related to the manufacture of firearms, to include 3D-printing information, proposed for transfer to the CCL will be prohibited from publication or Internet posting without a license. That does seek to address my previously-expressed concern, and I will not insist on this to lift my hold. However, I note that this improvement could easily be undone through a simple regulatory change in the future that would not even require congressional notification or review; a statutory authority to maintain such licensing, or better yet, an outright prohibition, may be required. Moreover, Commerce must maintain a policy of “presumption of denial” for any license application sought to publish or post such information, and pursue any violations vigorously.

Sincerely,

Link: <https://www.foreign.senate.gov/press/ranking/release/menendez-to-block-trump-admin-from-exporting-us-firearms-with-less-oversight-and-accountability>

---

**Matthew Marquis**

Office of Congressional & Public Affairs  
Bureau of Political-Military Affairs (PM/CPA)  
U.S. Department of State

Phone: 202.647.6968

e-mail: [MarquisMR@state.gov](mailto:MarquisMR@state.gov) Web: [PM Homepage](#) | Twitter: [@StateDeptPM](#)

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Message

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**From:** Johanna Reeves [jreeves@reevesdola.com]  
**Sent:** 12/13/2019 10:14:47 PM  
**To:** Miller, Michael F [Millermf@state.gov]  
**Subject:** RE: 38(f) Notification to Congress

Found it. Thanks!

I guess we'll see how it goes....

Have a very happy holiday season!

Johanna



**Johanna Reeves**

Attorney at Law  
Direct Dial: 202.715.9941  
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[jreeves@reevesdola.com](mailto:jreeves@reevesdola.com)

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Washington, DC 20006  
Tel 202.683.4200  
Fax 202.587.5610  
[reevesdola.com](http://reevesdola.com)

---

**From:** Miller, Michael F <Millermf@state.gov>  
**Sent:** Friday, December 13, 2019 4:57 PM  
**To:** Johanna Reeves <jreeves@reevesdola.com>  
**Subject:** RE: 38(f) Notification to Congress

Thanks and no worries.

I think there's been a new posting by the Senator on his or the SFRC's website. Don't have anything to add beyond that.

Hope you have a good weekend.

Cheers,  
Mike

---

**From:** Johanna Reeves <[jreeves@reevesdola.com](mailto:jreeves@reevesdola.com)>  
**Sent:** Friday, December 13, 2019 1:39 PM  
**To:** Miller, Michael F <[Millermf@state.gov](mailto:Millermf@state.gov)>  
**Subject:** 38(f) Notification to Congress



Hi, Mike.

I apologize for the intrusion this Friday afternoon, but I am wondering if you have any information on the recent 38(f) notification to Congress on the intent to revise Cats. I-III. I have heard that Senator Menendez has placed a new hold, but I am not able to locate it in the public channels. Do you know if this is accurate and, if so, whether rule publication will proceed?

Thank you for your kind assistance!  
Johanna



**Johanna Reeves**

Attorney at Law

Direct Dial: 202.715.9941

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Message

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**From:** Carroll, Christienne [CarrollC@state.gov]  
**Sent:** 12/16/2019 1:26:33 PM  
**To:** Heidema, Sarah J [HeidemaSJ@state.gov]; Webster, Hillary [WebsterH@state.gov]  
**CC:** Paul, Joshua M [PaulJM@state.gov]; PM-CPA [PM-CPA@state.gov]  
**Subject:** Clearance Requested (3:00 PM today): Readout Cats I-III Roundtable with NGOs/Advocacy Groups  
**Attachments:** Readout Cats I-III Rollout NGO Roundtable 12-12-19.docx

Good morning,

Please clear (by 3:00 p.m. today) on the attached readout from Thursday's Cats I-III roundtable with NGOs/Advocacy groups.

**Please note: We plan to send it out as is after 3:00 p.m. today, unless there are any edits.**

Many thanks,

Christienne

**Christienne Carroll**

Office of Congressional & Public Affairs  
Bureau of Political-Military Affairs (PM/CPA)  
U.S. Department of State

Message

---

**From:** Webster, Hillary [WebsterH@state.gov]  
**Sent:** 12/16/2019 2:25:27 PM  
**To:** Carroll, Christienne [CarrollC@state.gov]; Heidema, Sarah J [HeidemaSJ@state.gov]  
**CC:** Paul, Joshua M [PaulJM@state.gov]; PM-CPA [PM-CPA@state.gov]  
**Subject:** Re: Clearance Requested (3:00 PM today): Readout Cats I-III Roundtable with NGOs/Advocacy Groups

Thanks Christienne! I was out part of Friday but got most of my notes typed up. I have a few meetings the first half of today but will cross check what I have with your notes and follow up this afternoon, thanks for moving this along!

---

**From:** Carroll, Christienne <CarrollC@state.gov>  
**Sent:** Monday, December 16, 2019 8:26:33 AM  
**To:** Heidema, Sarah J <HeidemaSJ@state.gov>; Webster, Hillary <WebsterH@state.gov>  
**Cc:** Paul, Joshua M <PaulJM@state.gov>; PM-CPA <PM-CPA@state.gov>  
**Subject:** Clearance Requested (3:00 PM today): Readout Cats I-III Roundtable with NGOs/Advocacy Groups

Good morning,

Please clear (by 3:00 p.m. today) on the attached readout from Thursday's Cats I-III roundtable with NGOs/Advocacy groups.

**Please note: We plan to send it out as is after 3:00 p.m. today, unless there are any edits.**

Many thanks,

Christienne

**Christienne Carroll**  
Office of Congressional & Public Affairs  
Bureau of Political-Military Affairs (PM/CPA)  
U.S. Department of State

Message

---

**From:** Aron, David H [AronDH@state.gov]  
**Sent:** 12/16/2019 6:01:27 PM  
**To:** Hart, Robert L [HartRL@state.gov]  
**CC:** Davis, Terry L [DavisTL@state.gov]; Krueger, Thomas G [KruegerTG@state.gov]; Derscheid, Steven A [DerscheidSA@state.gov]  
**Subject:** Cats I - III - Next Steps

Hi Rob,

Could we get your read on where the Section 38 notification stands on moving portions of ITAR Cats I – III to the EAR?

[REDACTED]

Sincerely,



David H. Aron  
Foreign Affairs Officer  
Bureau of International Security and Nonproliferation  
Office of Conventional Arms Threat Reduction  
(202) 647-2153

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**Readout: Cats I-III Roundtable with NGOs/Advocacy Organizations**  
**Thursday, December 12, 2019**

As part of the Cats I-III rollout plan, PM/CPA organized an off-the-record roundtable discussion with NGOs/advocacy organizations concerned about the proposed changes. Acting DAS Mike Miller led the engagement, which included representatives from the Departments of State, Commerce and Defense (DTSA). Topics included identifying and halting problematic firearms exports, pre and post end use monitoring, human rights concerns, and public transparency.

**Participants**

**USG**

A/DAS Mike Miller, PM/DDTC, State  
Sarah Heidema, Director, PM/DTCP, State  
Douglas R. Hassebrock, Acting Assistant Secretary for Export Enforcement, Commerce  
Timothy Mooney, Senior Export Policy Analyst, Commerce  
Steven Clagett, Director of the Nuclear and Missile Technology Controls Division, Commerce  
Michael Laychak, Deputy Director, DTSA  
Tracy Minnifield, Director of Licensing, DTSA

**NGOs/Advocacy Organizations**

Amnesty International USA  
Arms Control Association  
American Bar Association  
Transparency International Defence and Security  
Brady Campaign  
Stimson Center

**Key Points: NGOs/Advocacy Groups**

**Identifying and Halting Problematic Firearms Exports**

- NGOs are concerned about the misuse of items by intended users.
- Many mercenaries are still operating globally and are looking for opportunities.
- NGOs are glad to see DTSA is involved but are still concerned about the loss of the Department of State's tools in the licensing process.
- Concern exists about the government possessing limited pre-end use intelligence on potential bad actors; planning from INR on patterns of misuse could be used to focus enforcement efforts.
- NGOs would like to see a DIA assessment on diversion of licensed AR15s.
- NGOs questioned why the changes are being proposed now. "What has changed? We sat around the same table three years ago having the same conversation. It wasn't the right time then, so what has changed to make it the right time now?"
- NGOs view the proposed changes as a "de-control" of potentially very lethal items.
- "This is different than every other USML category and it translates into: The U.S. wants to sell more guns."

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UNCLASSIFIEDPre and Post End Use Monitoring

- Concern that following the transfer to Commerce not enough focus will be placed on pre-end use monitoring.
- Concern that Commerce does not possess as much intelligence as State regarding potential bad actors.
- Concern that Commerce's lack of a registration process will result in limited data on foreign affiliates.
- Concern about limited reporting on end use monitoring and that a reduction in registration fees will result in less resources available to provide oversight.
- NGOs request a more robust report from Commerce focused on the end use monitoring of firearms.

Public Transparency

- Public transparency regarding firearms sales will be reduced. Commerce isn't mandated to complete similar reporting as State or Congressional Notifications—though reporting by international organizations will continue.
- NGOs use defense trade reports to help identify arms trafficking trends and networks—and are hamstrung without them.
- NGOs recommended establishing a plan to assess the impact of the transfer one year after implementation; and to also wait a year to identify registration trends as companies might continue to register with State during the transition period.

Senator Menendez's Hold

- NGO's expressed concern that not all of Senator Menendez's hold concerns have been fully addressed.
- Understanding exists that Senator Menendez will place another hold, but this information has not been made public.

Human Rights

- There are consequences and impact with regards to diversion and human rights abuses.
- The feeling is that this is a step in the wrong direction.
- It is alarming that the United States has withdrawn from the ATT.
- This drives a lot of the civil society groups' concerns.

**Key Points: State, Commerce and Defense (DTSA)**

State noted Senator Menendez's initial letter and that many of the concerns have been addressed. (Also, briefings have been held, amendments made, etc.) State commented that the Hill is encouraged to see the Department's reaction on 3-D printing concerns and on diminished Congressional oversight. They also noted that Congress hasn't legislated oversight for these types of transfers for Commerce but could do so if they deem it necessary. State agreed that systems evolve, and actors are looking for loopholes. "There's always room for improvement, and we want your input." In response to the GAO report recommendation earlier this year, State confirmed they are in the process of sharing the Watchlist with Commerce (and Commerce will share with State). "The paperwork has been signed and State is now working on the first data

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transfer to Commerce, to make sure it's working. State is trying to make changes in areas where people have identified things could be done better."

**Commerce** provided specific updates and clarification on changes in the recently notified text (compared to the original) and reassured that appropriate oversight would continue. Moving Categories I-III is part of an ongoing effort to rationalize export controls and group "like" products. They underscored that it is their Export Enforcement Office's job to make sure laws are enforced. "No one wants anything bad to happen." They reaffirmed licensing officers can take information from all sources. The bona fides for applicants are checked, and the data is kept forever. Each person applying for a license is given a unique number and information is collected and added. Anyone can provide information. The Watchlist includes derogatory data, and Commerce has a robust monitoring program. The Commerce "Entity List" serves as a powerful deterrent for any potential bad actors, as once an applicant is placed on the list, they can suffer significant economic consequences. With regards to more robust end use monitoring reporting, Commerce indicated they were open to it and would bring the idea back to look at it further.

**DTSA** stressed that they are not talking about opening loopholes. They explained that a level playing field exists between the Departments, and there is a licensing requirement and policy review. "There are multiple sources of information used in the clearance process and we reserve the right to ask more questions as needed." They noted that there may be even more law enforcement analysis. DTSA said they are very interested in hearing where the system of export review has failed and where a diversion has happened. "We want this information. If you are aware of gaps or diversions, let us know."

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Message

**From:** Cooper, R. Clarke [CooperRC@state.gov]  
**Sent:** 12/16/2019 10:20:47 PM  
**To:** Carroll, Christienne [CarrollC@state.gov]; PM-DDTC- FrontOffice –Staff [PM-DDTC-FrontOffice-Staff@state.gov]; PM-Strategy [PM-Strategy@state.gov]; Schiller, Rachel C [SchillerRC1@state.gov]; Biery, Meghan N. EOP/NSC [Meghan.N.Biery@nsc.eop.gov]; PM/RSAT Team Leaders [PM\_RSATTeamLeaders@state.gov]  
**CC:** PM-DAS's [PM-DASs@state.gov]; Windecker, Melissa A [WindeckerMA@state.gov]; Paul, Joshua M [PaulJM@state.gov]; PM-CPA [PM-CPA@state.gov]  
**Subject:** RE: Readout: Cats I-III Roundtable with NGOs/Advocacy Organizations (December 12, 2019)

[REDACTED]

Regards,

**R. Clarke Cooper**  
*Assistant Secretary of State*  
*Political Military Affairs Bureau*

[REDACTED]

[CooperRC@state.gov](mailto:CooperRC@state.gov)

ENGAGE. ENHANCE. ENABLE.

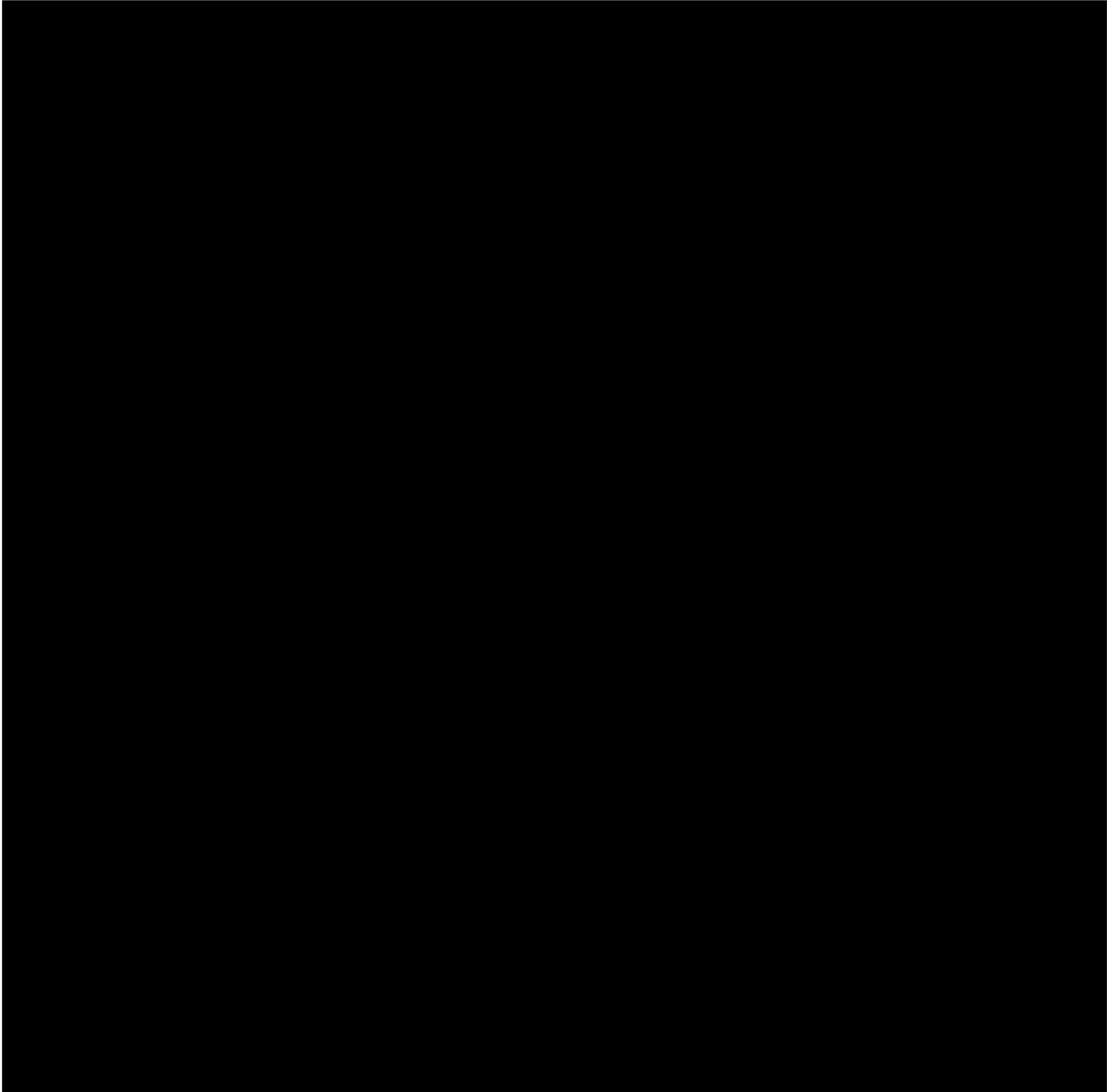
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**From:** Carroll, Christienne <CarrollC@state.gov>  
**Sent:** Monday, December 16, 2019 4:53 PM  
**To:** PM-DDTC- FrontOffice –Staff <PM-DDTC-FrontOffice-Staff@state.gov>; PM-Strategy <PM-Strategy@state.gov>; Schiller, Rachel C <SchillerRC1@state.gov>; Biery, Meghan N. EOP/NSC <Meghan.N.Biery@nsc.eop.gov>; PM/RSAT Team Leaders <PM\_RSATTeamLeaders@state.gov>  
**Cc:** PM-DAS's <PM-DASs@state.gov>; Windecker, Melissa A <WindeckerMA@state.gov>; Paul, Joshua M <PaulJM@state.gov>; PM-CPA <PM-CPA@state.gov>  
**Subject:** Readout: Cats I-III Roundtable with NGOs/Advocacy Organizations (December 12, 2019)

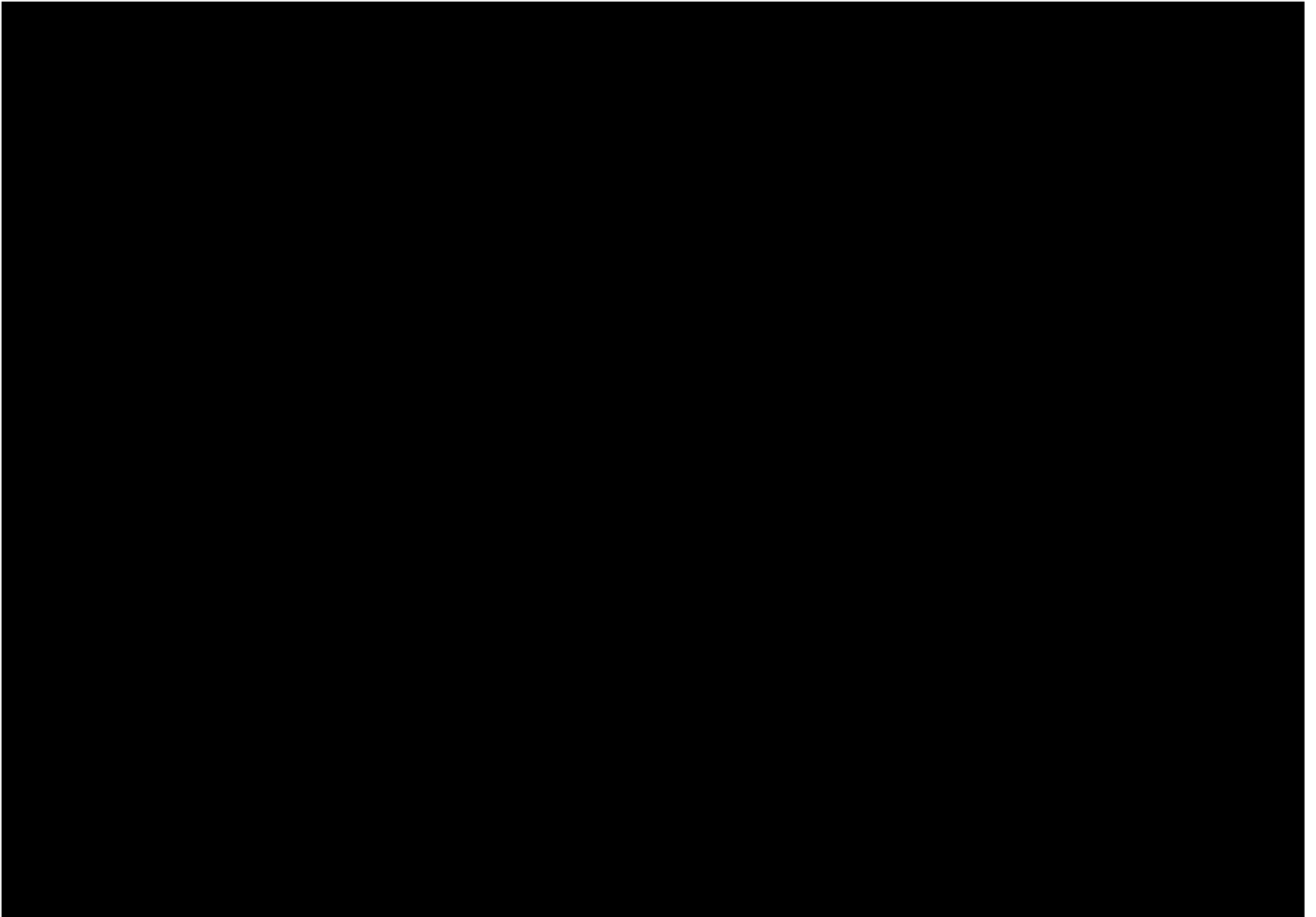
Good afternoon,

[REDACTED]

[REDACTED]







-----  
**Christienne Carroll**

Office of Congressional & Public Affairs

Bureau of Political-Military Affairs (PM/CPA)

U.S. Department of State

Message

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**From:** Heidema, Sarah J [HeidemaSJ@state.gov]  
**Sent:** 12/18/2019 5:19:26 PM  
**To:** Brian Nilsson [bhnillsson@aol.com]  
**Subject:** RE: Q re: Cats. I-III

Hi. It has not gone to the Fed Reg yet for publication and we have not ETA. There are some pollical matters that need to be addressed.

Happy holidays to you too!

**From:** Brian Nilsson <bhnillsson@aol.com>  
**Sent:** Wednesday, December 18, 2019 11:30 AM  
**To:** Heidema, Sarah J <HeidemaSJ@state.gov>  
**Subject:** Q re: Cats. I-III

Hi Sarah,

Hope this finds you and yours doing well. I'm querying about the status of Cats. I-III - are you able to advise if State is proceeding with publication of the rule or if you're holding because of the Menendez letter? If you're proceeding, do you have an ETA for it publishing? I've heard it's not likely to get through the State clearance process and then to the FR until sometime in January.

Thanks, happy holidays!

Brian

Message

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**From:** Khawam, Joseph N [KhawamJN@state.gov]  
**Sent:** 12/19/2019 4:48:12 PM  
**To:** Heidema, Sarah J [HeidemaSJ@state.gov]; Paul, Joshua M [PaulJM@state.gov]  
**Subject:** Draft AM Package on Cats I-III  
**Attachments:** AM for S - USML Cat I-III Final FRN v7.docx; Tab 2 - Commerce Draft Final Rule.pdf; Tab 3 - Overview of State Department's Efforts to Revise USML Categories I, II, and III.docx; Tab 4 - Background on Major vs Non Major Rules.pdf; Tab 5 - February 2019 Senator Menendez Letter.pdf; Tab 6 - December 2019 Senator Menendez Letter.pdf

Here's the current draft AM. [REDACTED]

Joseph N. Khawam  
Attorney-Adviser  
U.S. Department of State  
Office of the Legal Adviser (L/PM)  
2201 C Street NW, Suite 6420  
Washington, DC 20520  
(202) 647-8546 (T, W, T)  
(202) 663-2915 (M)  
(202) 663-3097 (F)  
Opennet: [KhawamJN@state.gov](mailto:KhawamJN@state.gov)

[REDACTED]

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# United States Senate

COMMITTEE ON FOREIGN RELATIONS

WASHINGTON, DC 20510-6225

February 22, 2019

The Honorable Mike Pompeo  
 Secretary of State  
 U.S. Department of State  
 2201 C Street, N.W.  
 Washington, D.C. 20520

Dear Secretary Pompeo:

On February 4, 2019, I received a congressional notification from the Department for a proposal to transfer responsibility for the export control of firearms and ammunition from the United States Munitions list (USML) to the Commerce Control List (CCL). I write to inform you that I am placing a hold on the congressional notification, pursuant to the authority of Section 38(f) of the Arms Export Control Act (AECA).

I am deeply concerned about this proposed transfer. As you no doubt are aware, firearms and ammunition – especially those derived from military models and widely used by military and security services – are uniquely dangerous. They are easily modified, diverted, and proliferated, and are the primary means of injury, death, and destruction in civil and military conflicts throughout the world. As such, they should be subject to more, not less, rigorous export controls and oversight.

Combat rifles, including those commonly known as “sniper rifles,” should not be removed from the USML, nor should rifles of any type that are U.S. military-standard 5.56 (and especially .50 caliber). Semi-automatic firearms should also not be removed, and neither should related equipment, ammunition, or associated manufacturing equipment, technology, or technical data.

Consequently, my hold will remain in place until such time as the issues identified below are sufficiently addressed.

## 1) Removal of Firearms Exports from Congressional Information and Review

The AECA enables congressional review of exports of lethal weapons to ensure that they comport with U.S. foreign policy interests. Congress took action in 2002 to ensure that the sale and export of these weapons would receive stringent oversight, including by amending the AECA to set a lower reporting threshold (from \$14 million to \$1 million) specifically for firearms on the USML. Moving such firearms from the USML to the CCL would directly

contradict congressional intent and effectively eliminate congressional oversight and potential disapproval of exports of these weapons. Congressional oversight must be retained.

## 2) Proliferation of 3D Gun Printing Technical Information

There is a serious risk that this transfer will open the floodgates of information for the 3D printing of nearly-undetectable firearms and components by foreign persons and terrorists that intend to harm U.S. citizens and interests. The Department of Commerce claims that it cannot, by its own regulations, prevent the publication, including on the Internet for global consumption, of technical information and blueprint files that would enable this 3D production, if such information has once been published, even illegally. This is outrageous and simply unacceptable given the dangers it poses to U.S. citizens and interests.

Moreover, it may also be at variance with recent law. Section 1758 of the Export Control Reform Act of 2018 authorizes the Secretary of Commerce to control “emerging and foundational technologies” that (A) are essential to the national security of the United States; and (B) are not critical technologies described in clauses (i) through (v) of section 721(a)(6)(A) of the Defense Production Act of 1950. 3D printing has been identified by this Administration as an emerging technology of concern, and the Department of Commerce itself used 3D printing as an example of “emerging technology” in its November 19, 2018 Federal Register notice seeking public comment on what constitutes emerging technologies pursuant to this new statutory charge. Then-Secretary of Defense Mattis twice mentioned the challenges of 3D printing in congressional testimony, and Director of National Intelligence Coats, in his 2018 Worldwide Threat Assessment of the U.S. Intelligence Community, stated that, “[a]dvances in manufacturing, particularly the development of 3D printing, almost certainly will become even more accessible to a variety of state and non-state actors and be used in ways contrary to our interests.”

It would seem axiomatic that the capability to 3D-print lethal weaponry that cannot easily or reliably be detected by metal detectors at airports, schools, governmental or other facilities (including the U.S. Capitol and the Department of State) would qualify as an emerging technology in need of regulatory control. Yet, the Commerce Department has told my staff that the interagency process to identify emerging and foundational technologies to be controlled has not been completed, and is unlikely to be completed for months. By proceeding with the transfer of firearms, including 3D printing technical information, to Commerce, the Administration is acting recklessly and endangering innocent lives. It should go without saying that we collectively need to understand the threat and have a plan to address this issue before making the regulatory change.

Moreover, the Department of Commerce would seem to have adequate additional regulatory authority to control 3D gun printing information, at least temporarily. Commerce can control any item for foreign policy reasons under the miscellaneous category of 0Y521, according to a final rule issued by Commerce in 2012. Preventing foreign terrorists and thugs from acquiring

the means to print undetectable guns to use against U.S. citizens is a sufficient foreign policy justification to control this technology from public release.

Ultimately, the specific provision of the Export Administration Regulations is cited as preventing Commerce from controlling the publication of 3D Printed guns in the longer term needs to be rewritten to permit this control. Until that occurs, or until Commerce determines that such technical information can and will be controlled, this technical information cannot and should not be transferred from USML to the CCL.

I look forward to your prompt response to my concerns.

Sincerely,

A handwritten signature in black ink, reading "Robert Menendez". The signature is fluid and cursive, with a large, stylized "R" and "M".

Robert Menendez  
Ranking Member

CC: The Honorable Wilbur Ross, U.S. Secretary of Commerce

JAMES E. RUSCH, IDAHO, CHAIRMAN

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## United States Senate

COMMITTEE ON FOREIGN RELATIONS

WASHINGTON, DC 20510-6225

December 10, 2019

The Honorable Mike Pompeo  
 Secretary of State  
 U.S. Department of State  
 2201 C Street, N.W.  
 Washington, D.C.

Dear Secretary Pompeo:

On February 4, 2019, I received congressional notification from the Department, pursuant to the authority of section 38(f) of the Arms Export Control Act (AECA), for the proposed transfer of responsibility for the export control of firearms and ammunition from the United States Munitions list (USML) to the Commerce Control List (CCL). I wrote to inform you on February 22 that I was placing a hold on that congressional notification. On November 12, 2019, the Department submitted a new 38(f) notification in response to a proposed regulatory change by the Department of Commerce. I write to inform you that I am placing a hold on the November 12, 2019 notification for the reasons detailed below.

As you no doubt are aware, firearms and ammunition – especially those derived from military models and widely in-use by military and security services - are uniquely dangerous. They are easily modified, diverted, and proliferated, and are the primary means of injury, death, and destruction in civil and military conflicts throughout the world. As such, they should be subject to more rigorous export controls and oversight, not less.

Combat rifles, including those commonly known as “sniper rifles,” should not be removed from the USML, nor should rifles of any type that are U.S. military-standard 5.56 (and especially .50 caliber). Semi-automatic firearms should also not be removed, and neither should related equipment, ammunition, or associated manufacturing equipment, technology, or technical data.

My hold will remain in place until such time as the issue identified below is sufficiently addressed.

### 1) Removal of Firearms Exports from Congressional Information and Review

The AECA provides for congressional review of exports of lethal weapons to ensure that they comport with U.S. foreign policy interests. As you know, Congress took action in 2002 to ensure that the sale and export of these weapons would receive closer scrutiny and oversight, including by amending the AECA to set a lower congressional reporting threshold (from \$14 million to \$1 million) specifically for firearms on the USML. Moving such firearms from the USML to the CCL would effectively eliminate congressional oversight of exports of these weapons by eliminating this congressional reporting requirement, and would be directly contrary to congressional intent.



To that end, I reiterate my demand from my previous letter: the Senate Foreign Relations and House Foreign Affairs committees must be immediately informed of any proposed license to export firearms formerly controlled on the USML at the appropriate dollar threshold mandated in the Arms Export Control Act. This concern must be satisfactorily addressed before I will lift my hold.

2) Proliferation of 3D Gun Printing Technical Information

In my February letter, I expressed that there is a serious risk that this transfer will open the floodgates of information for the 3D printing of nearly-undetectable firearms and components by foreign persons and terrorists that intend to harm U.S. citizens and interests. The Department of Commerce claimed that it could not, by its own regulations, prevent the publication, including on the Internet for global consumption, of technical information and blueprint files that would enable this 3D production, if such information has once been published, even illegally. I wrote that:

*Ultimately, the specific provision of the Export Administration Regulations that is cited as preventing Commerce from controlling the publication of 3D Printed guns in the longer term needs to be rewritten to permit this control. Until that occurs, or until Commerce determines that such technical information can and will be controlled, this technical information cannot and should not be transferred from USML to the CCL.*

I understand that the Department of Commerce has now decided to alter its regulations to address this concern; technical information related to the manufacture of firearms, to include 3D-printing information, proposed for transfer to the CCL will be prohibited from publication or Internet posting without a license. That does seek to address my previously-expressed concern, and I will not insist on this to lift my hold. However, I note that this improvement could easily be undone through a simple regulatory change in the future that would not even require congressional notification or review; a statutory authority to maintain such licensing, or better yet, an outright prohibition, may be required. Moreover, Commerce must maintain a policy of "presumption of denial" for any license application sought to publish or post such information, and pursue any violations vigorously.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert Menendez". The signature is fluid and cursive, with a large, stylized "R" and "M".

Robert Menendez  
Ranking Member



Message

---

**From:** Paul, Joshua M [PaulJM@state.gov]  
**Sent:** 12/19/2019 4:58:50 PM  
**To:** Khawam, Joseph N [KhawamJN@state.gov]; Heidema, Sarah J [HeidemaSJ@state.gov]  
**Subject:** RE: Draft AM Package on Cats I-III

[REDACTED]

---

SBU - DELIBERATIVE PROCESS

---

**From:** Khawam, Joseph N <KhawamJN@state.gov>  
**Sent:** Thursday, December 19, 2019 11:48 AM  
**To:** Heidema, Sarah J <HeidemaSJ@state.gov>; Paul, Joshua M <PaulJM@state.gov>  
**Subject:** Draft AM Package on Cats I-III

Here's the current draft AM. [REDACTED]

[REDACTED]

Joseph N. Khawam  
Attorney-Adviser  
U.S. Department of State  
Office of the Legal Adviser (L/PM)  
2201 C Street NW, Suite 6420  
Washington, DC 20520  
(202) 647-8546 (T, W, T)  
(202) 663-2915 (M)  
(202) 663-3097 (F)  
Opennet: [KhawamJN@state.gov](mailto:KhawamJN@state.gov)

[REDACTED]

SBU - DELIBERATIVE PROCESS

Message

**From:** Paul, Joshua M [PaulJM@state.gov]  
**Sent:** 12/19/2019 5:00:41 PM  
**To:** Khawam, Joseph N [KhawamJN@state.gov]; Heidema, Sarah J [HeidemaSJ@state.gov]  
**Subject:** RE: Draft AM Package on Cats I-III  
**Attachments:** AM for S - USML Cat I-III Final FRN v7.docx

Made a couple of edits – hope this helps.

SBU - DELIBERATIVE PROCESS

**From:** Khawam, Joseph N <KhawamJN@state.gov>  
**Sent:** Thursday, December 19, 2019 11:48 AM  
**To:** Heidema, Sarah J <HeidemaSJ@state.gov>; Paul, Joshua M <PaulJM@state.gov>  
**Subject:** Draft AM Package on Cats I-III

Here's the current draft AM. [REDACTED]

Joseph N. Khawam  
Attorney-Adviser  
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2201 C Street NW, Suite 6420  
Washington, DC 20520  
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(202) 663-2915 (M)  
(202) 663-3097 (F)  
Opennet: [KhawamJN@state.gov](mailto:KhawamJN@state.gov)  
[REDACTED]

SBU - DELIBERATIVE PROCESS

Message

---

**From:** Heidema, Sarah J [HeidemaSJ@state.gov]  
**Sent:** 12/19/2019 6:48:33 PM  
**To:** Khawam, Joseph N [KhawamJN@state.gov]; Paul, Joshua M [PaulJM@state.gov]  
**Subject:** AM for S - USML Cat I-III Final FRN v7 (002)  
**Attachments:** AM for S - USML Cat I-III Final FRN v7 (002).docx

I've cut back some language to get this to 2 pages and started to address Joe's comment. Josh will need to finish this job.

Message

---

**From:** Khawam, Joseph N [KhawamJN@state.gov]  
**Sent:** 12/19/2019 7:21:59 PM  
**To:** Kovar, Jeffrey D [KovarJD@state.gov]  
**Subject:** FW: AM for S - USML Cat I-III Final FRN v7 (002)  
**Attachments:** AM for S - USML Cat I-III Final FRN v7 (002).docx

Jeff: I stopped by to provide an update on Cats I-III. The latest draft AM is attached. It sounds like we will be moving it through clearances soon. If you have a moment, please let me know and I'll swing by again.

Thanks,  
Joe

Joseph N. Khawam  
Office of the Legal Adviser (L/PM)

---

**From:** Paul, Joshua M <PaulJM@state.gov>  
**Sent:** Thursday, December 19, 2019 1:53 PM  
**To:** Heidema, Sarah J <HeidemaSJ@state.gov>; Khawam, Joseph N <KhawamJN@state.gov>  
**Subject:** RE: AM for S - USML Cat I-III Final FRN v7 (002)

Attempt attached.

Relatedly, pending this process, is there anything more needed to be done to prep the rules themselves for publication, or are they all ready for transmittal to the FR?

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**From:** Heidema, Sarah J <HeidemaSJ@state.gov>  
**Sent:** Thursday, December 19, 2019 1:49 PM  
**To:** Khawam, Joseph N <KhawamJN@state.gov>; Paul, Joshua M <PaulJM@state.gov>  
**Subject:** AM for S - USML Cat I-III Final FRN v7 (002)

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Message

**From:** Kovar, Jeffrey D [KovarJD@state.gov]  
**Sent:** 12/19/2019 7:39:14 PM  
**To:** Khawam, Joseph N [KhawamJN@state.gov]  
**Subject:** RE: AM for S - USML Cat I-III Final FRN v7 (002)

Joe – I'm back and this is a good time. Thanks -Jeff

---

**From:** Khawam, Joseph N <KhawamJN@state.gov>  
**Sent:** Thursday, December 19, 2019 2:22 PM  
**To:** Kovar, Jeffrey D <KovarJD@state.gov>  
**Subject:** FW: AM for S - USML Cat I-III Final FRN v7 (002)

Jeff: I stopped by to provide an update on Cats I-III. The latest draft AM is attached. It sounds like we will be moving it through clearances soon. If you have a moment, please let me know and I'll swing by again.

Thanks,  
Joe

Joseph N. Khawam  
Office of the Legal Adviser (L/PM)

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**From:** Paul, Joshua M <PaulJM@state.gov>  
**Sent:** Thursday, December 19, 2019 1:53 PM  
**To:** Heidema, Sarah J <HeidemaSJ@state.gov>; Khawam, Joseph N <KhawamJN@state.gov>  
**Subject:** RE: AM for S - USML Cat I-III Final FRN v7 (002)

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**From:** Heidema, Sarah J <HeidemaSJ@state.gov>  
**Sent:** Thursday, December 19, 2019 1:49 PM  
**To:** Khawam, Joseph N <KhawamJN@state.gov>; Paul, Joshua M <PaulJM@state.gov>  
**Subject:** AM for S - USML Cat I-III Final FRN v7 (002)

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Message


**From:** Khawam, Joseph N [KhawamJN@state.gov]  
**Sent:** 12/19/2019 7:50:02 PM  
**To:** Heidema, Sarah J [HeidemaSJ@state.gov]; Paul, Joshua M [PaulJM@state.gov]  
**Subject:** RE: AM for S - USML Cat I-III Final FRN v7 (002)  
**Attachments:** Tab 3 Att 12 - DRAFT Roll-Out Plan and Fact Sheet (CONFIRM WITH CPA BEFORE SUBMISSION).docx



Joseph N. Khawam  
Office of the Legal Adviser (L/PM)

---

**From:** Heidema, Sarah J <HeidemaSJ@state.gov>  
**Sent:** Thursday, December 19, 2019 1:59 PM  
**To:** Paul, Joshua M <PaulJM@state.gov>; Khawam, Joseph N <KhawamJN@state.gov>  
**Subject:** RE: AM for S - USML Cat I-III Final FRN v7 (002)



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**From:** Paul, Joshua M <PaulJM@state.gov>  
**Sent:** Thursday, December 19, 2019 1:53 PM  
**To:** Heidema, Sarah J <HeidemaSJ@state.gov>; Khawam, Joseph N <KhawamJN@state.gov>  
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Attempt attached.

Relatedly, pending this process, is there anything more needed to be done to prep the rules themselves for publication, or are they all ready for transmittal to the FR?

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**From:** Heidema, Sarah J <HeidemaSJ@state.gov>  
**Sent:** Thursday, December 19, 2019 1:49 PM  
**To:** Khawam, Joseph N <KhawamJN@state.gov>; Paul, Joshua M <PaulJM@state.gov>  
**Subject:** AM for S - USML Cat I-III Final FRN v7 (002)

I've cut back some language to get this to 2 pages and started to address Joe's comment. Josh will need to finish this job.

Message

---

**From:** Heidema, Sarah J [HeidemaSJ@state.gov]  
**Sent:** 12/19/2019 7:52:23 PM  
**To:** Noonan, Michael J [NoonanMJ@state.gov]  
**Subject:** UTab 2plus - Revised USML Categories I II and III Full Text - ATF 10-28-19 DTCP clean  
**Attachments:** UTab 2plus - Revised USML Categories I II and III Full Text - ATF 10-28-19 DTCP clean.docx

Message

**From:** Paul, Joshua M [PaulJM@state.gov]  
**Sent:** 12/19/2019 8:27:37 PM  
**To:** Heidema, Sarah J [HeidemaSJ@state.gov]; Khawam, Joseph N [KhawamJN@state.gov]  
**CC:** Noonan, Michael J [NoonanMJ@state.gov]; Hart, Robert L [HartRL@state.gov]; PM-CPA [PM-CPA@state.gov]  
**Subject:** RE: AM for S - USML Cat I-III Final FRN v7 (002)  
**Attachments:** Tab 3 Att 12 - DRAFT Roll-Out Plan and Fact Sheet.docx

Made a few edits to the rollout tab [REDACTED]  
[REDACTED]

---

**From:** Heidema, Sarah J <HeidemaSJ@state.gov>  
**Sent:** Thursday, December 19, 2019 3:01 PM  
**To:** Paul, Joshua M <PaulJM@state.gov>; Khawam, Joseph N <KhawamJN@state.gov>  
**Cc:** Noonan, Michael J <NoonanMJ@state.gov>; Hart, Robert L <HartRL@state.gov>  
**Subject:** RE: AM for S - USML Cat I-III Final FRN v7 (002)

I'm out tomorrow, so I'm copying Noonan and Hart.

[REDACTED]

---

**From:** Paul, Joshua M <PaulJM@state.gov>  
**Sent:** Thursday, December 19, 2019 2:54 PM  
**To:** Khawam, Joseph N <KhawamJN@state.gov>; Heidema, Sarah J <HeidemaSJ@state.gov>  
**Subject:** RE: AM for S - USML Cat I-III Final FRN v7 (002)

Thanks – beyond the rollout, which we'll take another look at, defer to Sarah, not least as I don't have access to the RMA folder!

---

**From:** Khawam, Joseph N <KhawamJN@state.gov>  
**Sent:** Thursday, December 19, 2019 2:50 PM  
**To:** Heidema, Sarah J <HeidemaSJ@state.gov>; Paul, Joshua M <PaulJM@state.gov>  
**Subject:** RE: AM for S - USML Cat I-III Final FRN v7 (002)

[REDACTED]

Joseph N. Khawam  
Office of the Legal Adviser (L/PM)

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**From:** Heidema, Sarah J <HeidemaSJ@state.gov>  
**Sent:** Thursday, December 19, 2019 1:59 PM  
**To:** Paul, Joshua M <PaulJM@state.gov>; Khawam, Joseph N <KhawamJN@state.gov>  
**Subject:** RE: AM for S - USML Cat I-III Final FRN v7 (002)



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**Sent:** Thursday, December 19, 2019 1:53 PM  
**To:** Heidema, Sarah J <[HeidemaSJ@state.gov](mailto:HeidemaSJ@state.gov)>; Khawam, Joseph N <[KhawamJN@state.gov](mailto:KhawamJN@state.gov)>  
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**Sent:** Thursday, December 19, 2019 1:49 PM  
**To:** Khawam, Joseph N <[KhawamJN@state.gov](mailto:KhawamJN@state.gov)>; Paul, Joshua M <[PaulJM@state.gov](mailto:PaulJM@state.gov)>  
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Message

---

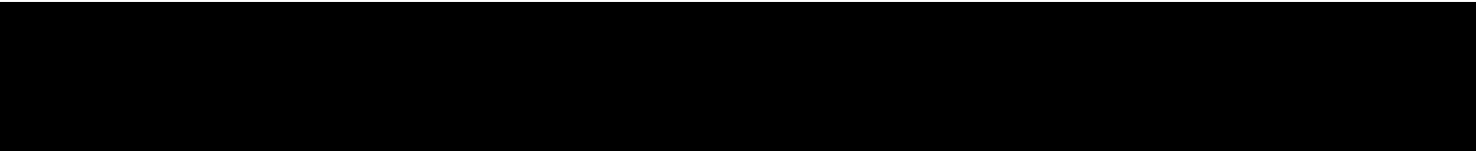
**From:** Noonan, Michael J [NoonanMJ@state.gov]  
**Sent:** 12/19/2019 8:57:08 PM  
**To:** Khawam, Joseph N [KhawamJN@state.gov]  
**Subject:** FW: AM for S - USML Cat I-III Final FRN v7 (002)  
**Attachments:** UTab 2plus - Revised USML Categories I II and III Full Text - 12 19 2019 (Pompeo).docx

Joe,

Sarah assures me that the version she gave me to change the signature block is the absolute latest. I have no reason to doubt her, but can you confirm?

---

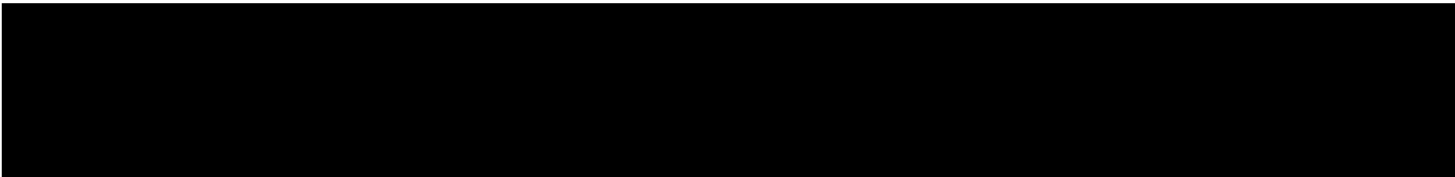
**From:** Noonan, Michael J  
**Sent:** Thursday, December 19, 2019 3:56 PM  
**To:** Heidema, Sarah J <HeidemaSJ@state.gov>; Paul, Joshua M <PaulJM@state.gov>; Khawam, Joseph N <KhawamJN@state.gov>  
**Cc:** Hart, Robert L <HartRL@state.gov>  
**Subject:** RE: AM for S - USML Cat I-III Final FRN v7 (002)



---

**From:** Heidema, Sarah J <HeidemaSJ@state.gov>  
**Sent:** Thursday, December 19, 2019 3:01 PM  
**To:** Paul, Joshua M <PaulJM@state.gov>; Khawam, Joseph N <KhawamJN@state.gov>  
**Cc:** Noonan, Michael J <NoonanMJ@state.gov>; Hart, Robert L <HartRL@state.gov>  
**Subject:** RE: AM for S - USML Cat I-III Final FRN v7 (002)

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**To:** Heidema, Sarah J <HeidemaSJ@state.gov>; Paul, Joshua M <PaulJM@state.gov>  
**Subject:** RE: AM for S - USML Cat I-III Final FRN v7 (002)

Joseph N. Khawam  
Office of the Legal Adviser (L/PM)

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**Sent:** Thursday, December 19, 2019 1:59 PM  
**To:** Paul, Joshua M <[PaulJM@state.gov](mailto:PaulJM@state.gov)>; Khawam, Joseph N <[KhawamJN@state.gov](mailto:KhawamJN@state.gov)>  
**Subject:** RE: AM for S - USML Cat I-III Final FRN v7 (002)

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**Subject:** AM for S - USML Cat I-III Final FRN v7 (002)

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## Message

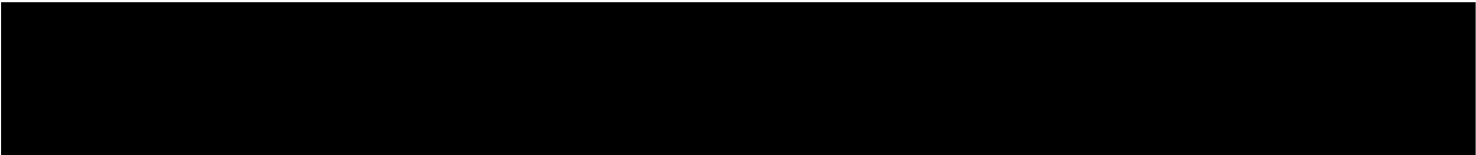
**From:** Khawam, Joseph N [KhawamJN@state.gov]  
**Sent:** 12/19/2019 9:00:43 PM  
**To:** Noonan, Michael J [NoonanMJ@state.gov]; Heidema, Sarah J [HeidemaSJ@state.gov]; Paul, Joshua M [PaulJM@state.gov]  
**CC:** Hart, Robert L [HartRL@state.gov]  
**Subject:** RE: AM for S - USML Cat I-III Final FRN v7 (002)

With respect to the attachments to Tab 3, I'm happy to assist. The L special said we'll just need to provide the PM specials with access to the documents when uploading to Everest. I'm happy to sit with the PM specials and walk them through at the appropriate time, but please do let them know to contact me. I'm told there isn't really a way for us to separately submit the documents for a package that PM is uploading to Everest.

Joseph N. Khawam  
 Office of the Legal Adviser (L/PM)

---

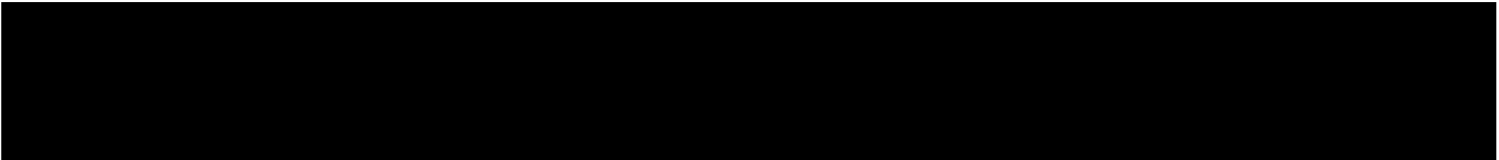
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**Cc:** Noonan, Michael J <NoonanMJ@state.gov>; Hart, Robert L <HartRL@state.gov>  
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**To:** Khawam, Joseph N <KhawamJN@state.gov>; Heidema, Sarah J <HeidemaSJ@state.gov>  
**Subject:** RE: AM for S - USML Cat I-III Final FRN v7 (002)


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**Sent:** Thursday, December 19, 2019 2:50 PM  
**To:** Heidema, Sarah J <[HeidemaSJ@state.gov](mailto:HeidemaSJ@state.gov)>; Paul, Joshua M <[PaulJM@state.gov](mailto:PaulJM@state.gov)>  
**Subject:** RE: AM for S - USML Cat I-III Final FRN v7 (002)



Joseph N. Khawam  
Office of the Legal Adviser (L/PM)

**From:** Heidema, Sarah J <[HeidemaSJ@state.gov](mailto:HeidemaSJ@state.gov)>  
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**Subject:** RE: AM for S - USML Cat I-III Final FRN v7 (002)



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**To:** Khawam, Joseph N <[KhawamJN@state.gov](mailto:KhawamJN@state.gov)>; Paul, Joshua M <[PaulJM@state.gov](mailto:PaulJM@state.gov)>  
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## Message

**From:** Khawam, Joseph N [KhawamJN@state.gov]  
**Sent:** 12/19/2019 9:10:41 PM  
**To:** Noonan, Michael J [NoonanMJ@state.gov]  
**Subject:** FW: Short Notice Request: Availability this afternoon for briefing (how brokering controls will be handled for the items moved to the CCL)  
**Attachments:** Revised USML Categories I II and III Full Text for Hill.pdf; Commerce Cat I-III firearms rule full text for Hill.pdf

Sarah has been maintaining the latest draft of the regs, so I don't have much to base a comparison on. She sent the attached to the Hill a few weeks ago, which is the latest that I have, and it appears to match what you sent.

Joseph N. Khawam  
 Office of the Legal Adviser (L/PM)

---

**From:** Heidema, Sarah J <HeidemaSJ@state.gov>  
**Sent:** Thursday, November 21, 2019 8:40 AM  
**To:** Khawam, Joseph N <KhawamJN@state.gov>; Miller, Michael F <MillerMF@state.gov>  
**Cc:** Koelling, Richard W <KoellingRW@state.gov>  
**Subject:** FW: Short Notice Request: Availability this afternoon for briefing (how brokering controls will be handled for the items moved to the CCL)

FYSA

---

**From:** Heidema, Sarah J  
**Sent:** Thursday, November 21, 2019 8:38 AM  
**To:** Fite, David (Foreign Relations) <David.Fite@foreign.senate.gov>; 'Timothy Mooney' <Timothy.Mooney@bis.doc.gov>; Rice, Edmund <edmund.rice@mail.house.gov>; Darrach, Tamara A <DarrachTA@state.gov>; Steffens, Jessica <jessica.steffens@mail.house.gov>; Hunter, Robert <robert.hunter@foreign.senate.gov>; Markus, Daniel <Daniel.Markus@mail.house.gov>; Markus, Daniel <Daniel.Markus@mail.house.gov>  
**Cc:** Huddleston, Clay (Foreign Relations) <Clay.Huddleston@foreign.senate.gov>; PM-CPA <PM-CPA@state.gov>; Giannangeli, Giulia R <GiannangeliGR@state.gov>; Wolfe, William E <WolfeWE@state.gov>; Paul, Joshua M <PaulJM@state.gov>; LKluttz@doc.gov; Lopes, Alexander <alexander.lopes@bis.doc.gov>; Clagett, Steven <steven.clagett@bis.doc.gov>; Rudd, Phil (Banking) <Phil.Rudd@banking.senate.gov>; McGinnis, Colin (Banking) <Colin.McGinnis@banking.senate.gov>; Karen NiesVogel <Karen.NiesVogel@bis.doc.gov>; Hillary Hess <Hillary.Hess@bis.doc.gov>  
**Subject:** RE: Short Notice Request: Availability this afternoon for briefing (how brokering controls will be handled for the items moved to the CCL)

David and Ed-

All the best,  
 Sarah

**From:** Fite, David (Foreign Relations) <[David\\_Fite@foreign.senate.gov](mailto:David_Fite@foreign.senate.gov)>

**Sent:** Wednesday, November 20, 2019 3:39 PM

**To:** 'Timothy Mooney' <[Timothy.Mooney@bis.doc.gov](mailto:Timothy.Mooney@bis.doc.gov)>; Rice, Edmund <[edmund.rice@mail.house.gov](mailto:edmund.rice@mail.house.gov)>; Darrach, Tamara A <[DarrachTA@state.gov](mailto:DarrachTA@state.gov)>; Steffens, Jessica <[jessica.steffens@mail.house.gov](mailto:jessica.steffens@mail.house.gov)>; Hunter, Robert <[robert\\_hunter@foreign.senate.gov](mailto:robert_hunter@foreign.senate.gov)>; Markus, Daniel <[Daniel.Markus@mail.house.gov](mailto:Daniel.Markus@mail.house.gov)>; Markus, Daniel <[Daniel.Markus@mail.house.gov](mailto:Daniel.Markus@mail.house.gov)>

**Cc:** Huddleston, Clay (Foreign Relations) <[Clay\\_Huddleston@foreign.senate.gov](mailto:Clay_Huddleston@foreign.senate.gov)>; PM-CPA <[PM-CPA@state.gov](mailto:PM-CPA@state.gov)>; Giannangeli, Giulia R <[GiannangeliGR@state.gov](mailto:GiannangeliGR@state.gov)>; Wolfe, William E <[WolfeWE@state.gov](mailto:WolfeWE@state.gov)>; Paul, Joshua M <[PaulJM@state.gov](mailto:PaulJM@state.gov)>; LKluttz@doc.gov; Lopes, Alexander <[alexander.lopes@bis.doc.gov](mailto:alexander.lopes@bis.doc.gov)>; Heidema, Sarah J <[HeidemaSJ@state.gov](mailto:HeidemaSJ@state.gov)>; Clagett, Steven <[steven.clagett@bis.doc.gov](mailto:steven.clagett@bis.doc.gov)>; Rudd, Phil (Banking) <[Phil\\_Rudd@banking.senate.gov](mailto:Phil_Rudd@banking.senate.gov)>; McGinnis, Colin (Banking) <[Colin\\_McGinnis@banking.senate.gov](mailto:Colin_McGinnis@banking.senate.gov)>; Karen NiesVogel <[Karen.NiesVogel@bis.doc.gov](mailto:Karen.NiesVogel@bis.doc.gov)>; Hillary Hess <[Hillary.Hess@bis.doc.gov](mailto:Hillary.Hess@bis.doc.gov)>

**Subject:** RE: Short Notice Request: Availability this afternoon for briefing (how brokering controls will be handled for the items moved to the CCL)

---

**From:** Timothy Mooney <Timothy.Mooney@bis.doc.gov>

**Sent:** Wednesday, November 20, 2019 3:26 PM

**To:** Rice, Edmund <Edmund.Rice@mail.house.gov>; Fite, David (Foreign Relations) <David\_Fite@foreign.senate.gov>; Darrach, Tamara A <DarrachTA@state.gov>; Steffens, Jessica <Jessica.Steffens@mail.house.gov>; Hunter, Robert (Foreign Relations) <Robert\_Hunter@foreign.senate.gov>; Markus, Daniel <Daniel.Markus@mail.house.gov>; Markus, Daniel <Daniel.Markus@mail.house.gov>

**Cc:** Huddleston, Clay (Foreign Relations) <Clay\_Huddleston@foreign.senate.gov>; PM-CPA <PM-CPA@state.gov>;

Giannangeli, Giulia R <GiannangeliGR@state.gov>; Wolfe, William E <WolfeWE@state.gov>; Paul, Joshua M

<PaulJM@state.gov>; LKluttz@doc.gov; Alexander Lopes <Alexander.Lopes@bis.doc.gov>; Heidema, Sarah J

<HeidemaSJ@state.gov>; Steven Clagett <Steven.Clagett@bis.doc.gov>; Rudd, Phil (Banking)

<Phil\_Rudd@banking.senate.gov>; McGinnis, Colin (Banking) <Colin\_McGinnis@banking.senate.gov>; Karen NiesVogel

<Karen.NiesVogel@bis.doc.gov>; Hillary Hess <Hillary.Hess@bis.doc.gov>

**Subject:** RE: Short Notice Request: Availability this afternoon for briefing (how brokering controls will be handled for the items moved to the CCL)

Ed,

Tim

---

**From:** Rice, Edmund <Edmund.Rice@mail.house.gov>

**Sent:** Wednesday, November 20, 2019 3:11 PM

**To:** Timothy Mooney <Timothy.Mooney@bis.doc.gov>; Fite, David (Foreign Relations)

<David\_Fite@foreign.senate.gov>; Darrach, Tamara A <DarrachTA@state.gov>; Steffens, Jessica

<Jessica.Steffens@mail.house.gov>; Hunter, Robert (Foreign Relations) <Robert\_Hunter@foreign.senate.gov>; Markus,

Daniel <Daniel.Markus@mail.house.gov>; Markus, Daniel <Daniel.Markus@mail.house.gov>

**Cc:** Huddleston, Clay (Foreign Relations) <Clay\_Huddleston@foreign.senate.gov>; PM-CPA <PM-CPA@state.gov>;

Giannangeli, Giulia R <GiannangeliGR@state.gov>; Wolfe, William E <WolfeWE@state.gov>; Paul, Joshua M

<PaulJM@state.gov>; LKluttz@doc.gov; Alexander Lopes <Alexander.Lopes@bis.doc.gov>; Heidema, Sarah J

<HeidemaSJ@state.gov>; Steven Clagett <Steven.Clagett@bis.doc.gov>; Rudd, Phil (Banking)

<Phil\_Rudd@banking.senate.gov>; McGinnis, Colin (Banking) <Colin\_McGinnis@banking.senate.gov>; Karen NiesVogel

<Karen.NiesVogel@bis.doc.gov>; Hillary Hess <Hillary.Hess@bis.doc.gov>

**Subject:** RE: Short Notice Request: Availability this afternoon for briefing (how brokering controls will be handled for the items moved to the CCL)

Tim:

Ed

---

**From:** Timothy Mooney <Timothy.Mooney@bis.doc.gov>

**Sent:** Wednesday, November 20, 2019 3:00 PM

**To:** Rice, Edmund <Edmund.Rice@mail.house.gov>; Fite, David (Foreign Relations) <David\_Fite@foreign.senate.gov>;

Darrach, Tamara A <DarrachTA@state.gov>; Steffens, Jessica <Jessica.Steffens@mail.house.gov>; Hunter, Robert



(Foreign Relations) <[Robert.Hunter@foreign.senate.gov](mailto:Robert.Hunter@foreign.senate.gov)>; Markus, Daniel <[Daniel.Markus@mail.house.gov](mailto:Daniel.Markus@mail.house.gov)>  
**Cc:** Huddleston, Clay (Foreign Relations) <[Clay.Huddleston@foreign.senate.gov](mailto:Clay.Huddleston@foreign.senate.gov)>; PM-CPA <[PM-CPA@state.gov](mailto:PM-CPA@state.gov)>;  
Giannangeli, Giulia R <[GiannangeliGR@state.gov](mailto:GiannangeliGR@state.gov)>; Wolfe, William E <[WolfeWE@state.gov](mailto:WolfeWE@state.gov)>; Paul, Joshua M  
<[PaulJM@state.gov](mailto:PaulJM@state.gov)>; Ikluttz <[Ikluttz@doc.gov](mailto:Ikluttz@doc.gov)>; Alexander Lopes <[Alexander.Lopes@bis.doc.gov](mailto:Alexander.Lopes@bis.doc.gov)>; Heidema, Sarah J  
<[HeidemaSJ@state.gov](mailto:HeidemaSJ@state.gov)>; Steven Clagett <[Steven.Clagett@bis.doc.gov](mailto:Steven.Clagett@bis.doc.gov)>; Rudd, Phil (Banking)  
<[Phil.Rudd@banking.senate.gov](mailto:Phil.Rudd@banking.senate.gov)>; McGinnis, Colin (Banking) <[Colin.McGinnis@banking.senate.gov](mailto:Colin.McGinnis@banking.senate.gov)>; Karen NiesVogel  
<[Karen.NiesVogel@bis.doc.gov](mailto:Karen.NiesVogel@bis.doc.gov)>; Hillary Hess <[Hillary.Hess@bis.doc.gov](mailto:Hillary.Hess@bis.doc.gov)>

**Subject:** RE: Short Notice Request: Availability this afternoon for briefing (how brokering controls will be handled for the items moved to the CCL)

Ed and David,

Tim

---

**From:** Timothy Mooney

**Sent:** Wednesday, November 20, 2019 2:55 PM

**To:** 'Rice, Edmund' <Edmund.Rice@mail.house.gov>; Fite, David (Foreign Relations) <David\_Fite@foreign.senate.gov>; Darrach, Tamara A <DarrachTA@state.gov>; Steffens, Jessica <Jessica.Steffens@mail.house.gov>; Hunter, Robert (Foreign Relations) <Robert\_Hunter@foreign.senate.gov>; Markus, Daniel <Daniel.Markus@mail.house.gov>  
**Cc:** Huddleston, Clay (Foreign Relations) <Clay\_Huddleston@foreign.senate.gov>; PM-CPA <PM-CPA@state.gov>; Giannangeli, Giulia R <GiannangeliGR@state.gov>; Wolfe, William E <WolfeWE@state.gov>; Paul, Joshua M <PaulJM@state.gov>; LKluttz@doc.gov; Alexander Lopes <Alexander.Lopes@bis.doc.gov>; Heidema, Sarah J <HeidemaSJ@state.gov>; Steven Clagett <Steven.Clagett@bis.doc.gov>; Rudd, Phil (Banking) <Phil\_Rudd@banking.senate.gov>; McGinnis, Colin (Banking) <Colin\_McGinnis@banking.senate.gov>  
**Subject:** RE: Short Notice Request: Availability this afternoon for briefing (Per your request, here is the redline compare for the Commerce control text)

Ed and David,

Tim

**From:** Rice, Edmund <Edmund.Rice@mail.house.gov>  
**Sent:** Wednesday, November 20, 2019 1:58 PM  
**To:** Fite, David (Foreign Relations) <David\_Fite@foreign.senate.gov>; Timothy Mooney <Timothy.Mooney@bis.doc.gov>; Darrach, Tamara A <DarrachTA@state.gov>; Steffens, Jessica <Jessica.Steffens@mail.house.gov>; Hunter, Robert (Foreign Relations) <Robert\_Hunter@foreign.senate.gov>; Markus, Daniel <Daniel.Markus@mail.house.gov>  
**Cc:** Huddleston, Clay (Foreign Relations) <Clay\_Huddleston@foreign.senate.gov>; PM-CPA <PM-CPA@state.gov>; Giannangeli, Giulia R <GiannangeliGR@state.gov>; Wolfe, William E <WolfeWE@state.gov>; Paul, Joshua M <PaulJM@state.gov>; LKluttz@doc.gov; Alexander Lopes <Alexander.Lopes@bis.doc.gov>; Heidema, Sarah J <HeidemaSJ@state.gov>; Steven Clagett <Steven.Clagett@bis.doc.gov>; Rudd, Phil (Banking) <Phil\_Rudd@banking.senate.gov>; McGinnis, Colin (Banking) <Colin\_McGinnis@banking.senate.gov>  
**Subject:** RE: Short Notice Request: Availability this afternoon for briefing (Per your request, here is the redline compare for the Commerce control text)

**From:** Fite, David (Foreign Relations) <David\_Fite@foreign.senate.gov>  
**Sent:** Wednesday, November 20, 2019 1:41 PM  
**To:** 'Timothy Mooney' <Timothy.Mooney@bis.doc.gov>; Darrach, Tamara A <DarrachTA@state.gov>; Steffens, Jessica <Jessica.Steffens@mail.house.gov>; Rice, Edmund <Edmund.Rice@mail.house.gov>; Hunter, Robert (Foreign Relations) <Robert\_Hunter@foreign.senate.gov>  
**Cc:** Huddleston, Clay (Foreign Relations) <Clay\_Huddleston@foreign.senate.gov>; PM-CPA <PM-CPA@state.gov>; Giannangeli, Giulia R <GiannangeliGR@state.gov>; Wolfe, William E <WolfeWE@state.gov>; Paul, Joshua M <PaulJM@state.gov>; LKluttz@doc.gov; Alexander Lopes <Alexander.Lopes@bis.doc.gov>; Heidema, Sarah J <HeidemaSJ@state.gov>; Steven Clagett <Steven.Clagett@bis.doc.gov>; Rudd, Phil (Banking) <Phil\_Rudd@banking.senate.gov>; McGinnis, Colin (Banking) <Colin\_McGinnis@banking.senate.gov>  
**Subject:** RE: Short Notice Request: Availability this afternoon for briefing (Per your request, here is the redline compare for the Commerce control text)

**From:** Timothy Mooney <[Timothy.Mooney@bis.doc.gov](mailto:Timothy.Mooney@bis.doc.gov)>

**Sent:** Tuesday, November 19, 2019 7:13 PM

**To:** Fite, David (Foreign Relations) <[David\\_Fite@foreign.senate.gov](mailto:David_Fite@foreign.senate.gov)>; Darrach, Tamara A <[DarrachTA@state.gov](mailto:DarrachTA@state.gov)>; Steffens, Jessica <[jessica.steffens@mail.house.gov](mailto:jessica.steffens@mail.house.gov)>; Rice, Edmund <[edmund.rice@mail.house.gov](mailto:edmund.rice@mail.house.gov)>; Hunter, Robert (Foreign Relations) <[Robert\\_Hunter@foreign.senate.gov](mailto:Robert_Hunter@foreign.senate.gov)>

**Cc:** Huddleston, Clay (Foreign Relations) <[Clay\\_Huddleston@foreign.senate.gov](mailto:Clay_Huddleston@foreign.senate.gov)>; PM-CPA <[PM-CPA@state.gov](mailto:PM-CPA@state.gov)>; Giannangeli, Giulia R <[GiannangeliGR@state.gov](mailto:GiannangeliGR@state.gov)>; Wolfe, William E <[WolfeWE@state.gov](mailto:WolfeWE@state.gov)>; Paul, Joshua M <[PaulJM@state.gov](mailto:PaulJM@state.gov)>; LKluttz@doc.gov; Alexander Lopes <[Alexander.Lopes@bis.doc.gov](mailto:Alexander.Lopes@bis.doc.gov)>; Heidema, Sarah J <[HeidemaSJ@state.gov](mailto:HeidemaSJ@state.gov)>; Steven Clagett <[Steven.Clagett@bis.doc.gov](mailto:Steven.Clagett@bis.doc.gov)>

**Subject:** RE: Short Notice Request: Availability this afternoon for briefing (Per your request, here is the redline compare for the Commerce control text)

David,

Tim

Timothy Mooney  
Senior Export Policy Analyst  
Regulatory Policy Division  
Bureau of Industry and Security  
Tel. (202) 482-3371

**From:** Fite, David (Foreign Relations) <[David\\_Fite@foreign.senate.gov](mailto:David_Fite@foreign.senate.gov)>

**Sent:** Tuesday, November 19, 2019 2:32 PM

**To:** Timothy Mooney <[Timothy.Mooney@bis.doc.gov](mailto:Timothy.Mooney@bis.doc.gov)>; Darrach, Tamara A <[DarrachTA@state.gov](mailto:DarrachTA@state.gov)>; Steffens, Jessica <[jessica.steffens@mail.house.gov](mailto:jessica.steffens@mail.house.gov)>; Rice, Edmund <[edmund.rice@mail.house.gov](mailto:edmund.rice@mail.house.gov)>; Hunter, Robert (Foreign Relations) <[Robert\\_Hunter@foreign.senate.gov](mailto:Robert_Hunter@foreign.senate.gov)>

**Cc:** Huddleston, Clay (Foreign Relations) <[Clay\\_Huddleston@foreign.senate.gov](mailto:Clay_Huddleston@foreign.senate.gov)>; PM-CPA <[PM-CPA@state.gov](mailto:PM-CPA@state.gov)>; Giannangeli, Giulia R <[GiannangeliGR@state.gov](mailto:GiannangeliGR@state.gov)>; Wolfe, William E <[WolfeWE@state.gov](mailto:WolfeWE@state.gov)>; Paul, Joshua M <[PaulJM@state.gov](mailto:PaulJM@state.gov)>; LKluttz@doc.gov; Alexander Lopes <[Alexander.Lopes@bis.doc.gov](mailto:Alexander.Lopes@bis.doc.gov)>; Heidema, Sarah J <[HeidemaSJ@state.gov](mailto:HeidemaSJ@state.gov)>

**Subject:** RE: Short Notice Request: Availability this afternoon for briefing (Per your request, here is the redline compare for the Commerce control text)

**From:** Timothy Mooney <[Timothy.Mooney@bis.doc.gov](mailto:Timothy.Mooney@bis.doc.gov)>

**Sent:** Thursday, November 14, 2019 12:08 PM

**To:** Darrach, Tamara A <[DarrachTA@state.gov](mailto:DarrachTA@state.gov)>; Steffens, Jessica <[jessica.steffens@mail.house.gov](mailto:jessica.steffens@mail.house.gov)>; Fite, David (Foreign Relations) <[David\\_Fite@foreign.senate.gov](mailto:David_Fite@foreign.senate.gov)>; Rice, Edmund <[edmund.rice@mail.house.gov](mailto:edmund.rice@mail.house.gov)>; Hunter, Robert (Foreign Relations) <[Robert\\_Hunter@foreign.senate.gov](mailto:Robert_Hunter@foreign.senate.gov)>

**Cc:** Huddleston, Clay (Foreign Relations) <Clay\_Huddleston@foreign.senate.gov>; PM-CPA <PM-CPA@state.gov>; Giannangeli, Giulia R <GiannangeliGR@state.gov>; Wolfe, William E <WolfeWE@state.gov>; Paul, Joshua M <PaulJM@state.gov>; LKluttz@doc.gov; Alexander Lopes <Alexander.Lopes@bis.doc.gov>; Heidema, Sarah J <HeidemaSJ@state.gov>

**Subject:** RE: Short Notice Request: Availability this afternoon for briefing (Per your request, here is the redline compare for the Commerce control text)

---

**From:** Darrach, Tamara A <DarrachTA@state.gov>

**Sent:** Tuesday, November 12, 2019 11:58 AM

**To:** Steffens, Jessica <jessica.steffens@mail.house.gov>; Fite, David <david\_fite@foreign.senate.gov>; Rice, Edmund <edmund.rice@mail.house.gov>; Hunter, Robert <robert\_hunter@foreign.senate.gov>

**Cc:** Huddleston, Clay (Foreign Relations) <Clay\_Huddleston@foreign.senate.gov>; PM-CPA <PM-CPA@state.gov>; Giannangeli, Giulia R <GiannangeliGR@state.gov>; Wolfe, William E <WolfeWE@state.gov>; Paul, Joshua M <PaulJM@state.gov>

**Subject:** RE: Short Notice Request: Availability this afternoon for briefing

Dear all,

We look forward to briefing you this afternoon. In advance of our briefing, I am attaching copies of the revised rules we will be discussing with you. I would particularly draw your attention to the Commerce rule, Section 734.7(c), where, in order to address concerns raised by some members of Congress and the public regarding certain access to 3-D printing technology and software for firearms, the Department of Commerce has revised its rule to make certain technology and software capable of producing firearms subject to the EAR when posted on the internet under specified circumstances.

Thanks, and we look forward to answering your questions this afternoon,  
Tamara

**Tamara Darrach Goulding**  
Senior Congressional Advisor  
Bureau of Legislative Affairs  
U.S. Department of State  
Tel: (202) 647-8763  
Email: [DarrachTA@state.gov](mailto:DarrachTA@state.gov)

SENSITIVE BUT UNCLASSIFIED

Message

---

**From:** Cooper, R. Clarke [CooperRC@state.gov]  
**Sent:** 12/20/2019 12:14:42 AM  
**To:** Kaldahl, Ryan M [KaldahlRM@state.gov]; Ford, Christopher A [FordCA@state.gov]  
**CC:** Robbins, Hailey [RobbinsH2@state.gov]; Paul, Joshua M [PaulJM@state.gov]; Taylor, Mary Elizabeth [TaylorME3@state.gov]  
**Subject:** FRIDAY: Call in AM

Colleagues,

I am hosting DoD U/S Lord and AMB Rakolta at HST tomorrow starting at 0730 (yes, PM starts early).

Can be free by 0945. As for a call to SFRC member(s), 1315-1345, 1600-1630, or 1700-1730 work.

Regards,  
Clarke

R. Clarke Cooper  
Assistant Secretary of State  
Political Military Affairs Bureau

[REDACTED]  
CooperRC@state.gov

ENGAGE. ENHANCE. ENABLE.

SBU - DELIBERATIVE PROCESS

-----Original Message-----

From: Kaldahl, Ryan M <KaldahlRM@state.gov>  
Sent: Thursday, December 19, 2019 7:03 PM  
To: Cooper, R. Clarke <CooperRC@state.gov>; Ford, Christopher A <FordCA@state.gov>  
Cc: Robbins, Hailey <RobbinsH2@state.gov>; Paul, Joshua M <PaulJM@state.gov>; Taylor, Mary Elizabeth <TaylorME3@state.gov>  
Subject: Call in AM

All, is it possible to do a brief conf call (or meeting) at 0930 tomorrow morning to discuss CAT I-III way ahead? [REDACTED]

[REDACTED]

Happy to consider other times (such as 0830) -- my intent would be to have Ops Ctr build a call if we can find a time that works for everyone.

[REDACTED]

Ryan Kaldahl  
[REDACTED]

SBU - DELIBERATIVE PROCESS

Message

**From:** Paul, Joshua M [PaulJM@state.gov]  
**Sent:** 12/20/2019 3:35:35 PM  
**To:** Goulding, Tamara D [GouldingTD@state.gov]; Abisellan, Eduardo [AbisellanE@state.gov]; Brechwald, Matthew J (T) [BrechwaldMJ2@state.gov]; Noonan, Michael J [NoonanMJ@state.gov]; Hart, Robert L [HartRL@state.gov]; Kovar, Jeffrey D [KovarJD@state.gov]  
**CC:** Robbins, Hailey [RobbinsH2@state.gov]; Kaldahl, Ryan M [KaldahlRM@state.gov]; Miller, Michael F [MillerMF@state.gov]; Windecker, Melissa A [WindeckerMA@state.gov]; PM-CPA [PM-CPA@state.gov]  
**Subject:** DRAFT Note  
**Attachments:** Note to S on Cats 1-3 v1.1.docx

Dear all,

Subsequent to a 0930 meeting between T, H and PM I am attaching a draft Note to S. [REDACTED]

[REDACTED] But in the meantime please make any technical corrections so this is ready to go if needed.

Thanks,

Josh

---

**Josh Paul**

Director, Congressional & Public Affairs  
Bureau of Political-Military Affairs (PM/CPA)  
U.S. Department of State

☎ Phone: 202.647.7878 | 📠 BlackBerry: [REDACTED] | 📠 Fax: 202.647.4055

✉ e-mail: [PaulJM@State.Gov](mailto:PaulJM@State.Gov) | 🌐 Web: [www.state.gov/t/pm/](http://www.state.gov/t/pm/)

🐦 <http://twitter.com/StateDeptPM>

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SENSITIVE BUT UNCLASSIFIED

Message

**From:** Khawam, Joseph N [KhawamJN@state.gov]  
**Sent:** 12/20/2019 3:59:07 PM  
**To:** Kovar, Jeffrey D [KovarJD@state.gov]  
**Subject:** Fwd: AM to S

This is unfortunate timing. The updated documents are in the DDTC/RMA shared folder, so I can't access them on bb. Michael Noonan has access to them, if you'd like to review them now. Otherwise, I'll send them as soon as I get back

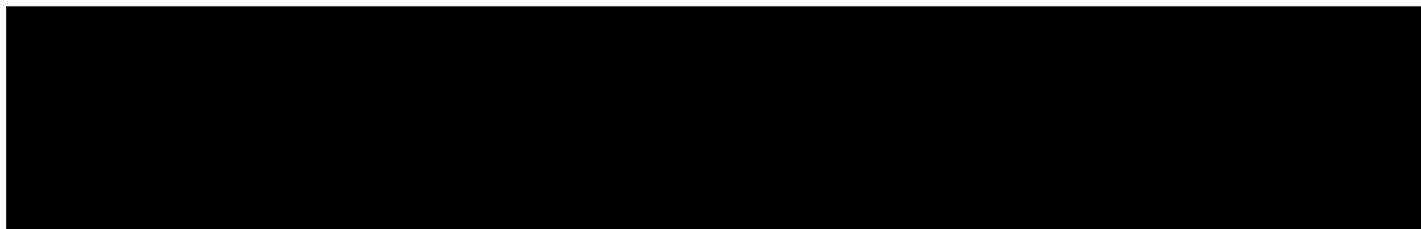


Joseph Khawam  
Office of the Legal Adviser (L/PM)

---

**From:** Paul, Joshua M <PaulJM@state.gov>  
**Sent:** Friday, December 20, 2019 10:33 AM  
**To:** Noonan, Michael J; Hart, Robert L; Khawam, Joseph N  
**Cc:** Miller, Michael F; PM-CPA; Kovar, Jeffrey D; Dorosin, Joshua L  
**Subject:** RE: AM to S

I think Joe may be out today. He left instructions for DDTC should they be needed on where to access the files, etc, as follows:



As such, adding Jeff and Josh to conduct that review so this is ready to move today if needed.

SENSITIVE BUT UNCLASSIFIED

---

**From:** Noonan, Michael J <NoonanMJ@state.gov>  
**Sent:** Friday, December 20, 2019 10:20 AM  
**To:** Hart, Robert L <HartRL@state.gov>; Paul, Joshua M <PaulJM@state.gov>; Khawam, Joseph N <KhawamJN@state.gov>  
**Cc:** Miller, Michael F <MillerMF@state.gov>; PM-CPA <PM-CPA@state.gov>  
**Subject:** RE: AM to S

+ Joe Khawam, who is keeper of all the documents.

SENSITIVE BUT UNCLASSIFIED

---

**From:** Hart, Robert L <HartRL@state.gov>  
**Sent:** Friday, December 20, 2019 10:10 AM  
**To:** Paul, Joshua M <PaulJM@state.gov>; Noonan, Michael J <NoonanMJ@state.gov>  
**Cc:** Miller, Michael F <MillerMF@state.gov>; PM-CPA <PM-CPA@state.gov>  
**Subject:** RE: AM to S

+Michael Noonan, who was working on the documents for Sarah yesterday

Rob Hart

202.736.9221 | [hartrl@state.gov](mailto:hartrl@state.gov)

SENSITIVE BUT UNCLASSIFIED

**From:** Paul, Joshua M <[PaulJM@state.gov](mailto:PaulJM@state.gov)>  
**Sent:** Friday, December 20, 2019 10:10 AM  
**To:** Hart, Robert L <[HartRL@state.gov](mailto:HartRL@state.gov)>  
**Cc:** Miller, Michael F <[Millermf@state.gov](mailto:Millermf@state.gov)>; PM-CPA <[PM-CPA@state.gov](mailto:PM-CPA@state.gov)>  
**Subject:** AM to S

Please have the AM on Cats 1-3 clean and ready to move to the PM FO; will let you know ASAP if it needs to go.

---

**Josh Paul**

Director, Congressional & Public Affairs  
Bureau of Political-Military Affairs (PM/CPA)  
U.S. Department of State

☎ Phone: 202.647.7878 | ① BlackBerry: [REDACTED] | 📠 Fax: 202.647.4055  
✉ e-mail: [PaulJM@State.Gov](mailto:PaulJM@State.Gov) | 🌐 Web: [www.state.gov/t/pm/](http://www.state.gov/t/pm/)

🐦 <http://twitter.com/StateDeptPM>

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Message

**From:** Kovar, Jeffrey D [KovarJD@state.gov]  
**Sent:** 12/20/2019 4:26:13 PM  
**To:** Khawam, Joseph N [KhawamJN@state.gov]  
**Subject:** RE: DRAFT Note  
**Attachments:** Note to S on Cats 1-3 v1.1 (002).docx

Joe – some edits from me. – Jeff

SENSITIVE BUT UNCLASSIFIED

**From:** Paul, Joshua M <PaulJM@state.gov>  
**Sent:** Friday, December 20, 2019 10:36 AM  
**To:** Goulding, Tamara D <GouldingTD@state.gov>; Abisellan, Eduardo <AbisellanE@state.gov>; Brechwald, Matthew J (T) <BrechwaldMJ2@state.gov>; Noonan, Michael J <NoonanMJ@state.gov>; Hart, Robert L <HartRL@state.gov>; Kovar, Jeffrey D <KovarJD@state.gov>  
**Cc:** Robbins, Hailey <RobbinsH2@state.gov>; Kaldahl, Ryan M <KaldahlRM@state.gov>; Miller, Michael F <MillerMF@state.gov>; Windecker, Melissa A <WindeckerMA@state.gov>; PM-CPA <PM-CPA@state.gov>  
**Subject:** DRAFT Note

Dear all,

Subsequent to a 0930 meeting between T, H and PM I am attaching a draft Note to S. [REDACTED]

[REDACTED] But in the meantime please make any technical corrections so this is ready to go if needed.

Thanks,

Josh

---

**Josh Paul**

Director, Congressional & Public Affairs  
Bureau of Political-Military Affairs (PM/CPA)  
U.S. Department of State

☎ Phone: 202.647.7878 | ① BlackBerry: [REDACTED] | 📠 Fax: 202.647.4055  
✉ e-mail: [PaulJM@State.Gov](mailto:PaulJM@State.Gov) | 🌐 Web: [www.state.gov/t/pm/](http://www.state.gov/t/pm/)

🐦 <http://twitter.com/StateDeptPM>

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SENSITIVE BUT UNCLASSIFIED

## Message

**From:** Khawam, Joseph N [KhawamJN@state.gov]  
**Sent:** 12/20/2019 6:10:38 PM  
**To:** Kovar, Jeffrey D [KovarJD@state.gov]; Paul, Joshua M [PaulJM@state.gov]; Hart, Robert L [HartRL@state.gov]  
**CC:** Noonan, Michael J [NoonanMJ@state.gov]  
**Subject:** RE: AM to S

The note looks great. No further edits from me. Thanks.

SENSITIVE BUT UNCLASSIFIED

**From:** Kovar, Jeffrey D <KovarJD@state.gov>  
**Sent:** Friday, December 20, 2019 12:34 PM  
**To:** Paul, Joshua M <PaulJM@state.gov>; Hart, Robert L <HartRL@state.gov>  
**Cc:** Khawam, Joseph N <KhawamJN@state.gov>; Noonan, Michael J <NoonanMJ@state.gov>  
**Subject:** RE: AM to S

Guys – these are my edits. Joe still needs to review. - Jeff

SENSITIVE BUT UNCLASSIFIED

**From:** Paul, Joshua M <PaulJM@state.gov>  
**Sent:** Friday, December 20, 2019 11:39 AM  
**To:** Kovar, Jeffrey D <KovarJD@state.gov>; Hart, Robert L <HartRL@state.gov>  
**Cc:** Khawam, Joseph N <KhawamJN@state.gov>; Noonan, Michael J <NoonanMJ@state.gov>  
**Subject:** RE: AM to S

Adding Rob – DTCP, increasing odds this may move to S **\*today\*** - please facilitate L review of the latest version.

SENSITIVE BUT UNCLASSIFIED

**From:** Paul, Joshua M  
**Sent:** Friday, December 20, 2019 11:04 AM  
**To:** Kovar, Jeffrey D <KovarJD@state.gov>  
**Cc:** Khawam, Joseph N <KhawamJN@state.gov>; Noonan, Michael J <NoonanMJ@state.gov>  
**Subject:** RE: AM to S

Adding Michael Noonan

SENSITIVE BUT UNCLASSIFIED

**From:** Kovar, Jeffrey D <KovarJD@state.gov>  
**Sent:** Friday, December 20, 2019 11:02 AM  
**To:** Paul, Joshua M <PaulJM@state.gov>  
**Cc:** Khawam, Joseph N <KhawamJN@state.gov>  
**Subject:** RE: AM to S

Josh – I don't have access to the RMA folder. Do you know how I can get access? Thanks - Jeff

SENSITIVE BUT UNCLASSIFIED

**From:** Paul, Joshua M <PaulJM@state.gov>

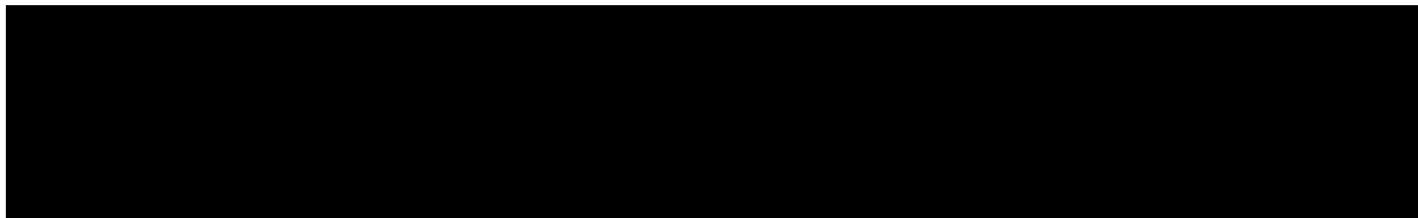
**Sent:** Friday, December 20, 2019 10:33 AM

**To:** Noonan, Michael J <NoonanMJ@state.gov>; Hart, Robert L <HartRL@state.gov>; Khawam, Joseph N <KhawamJN@state.gov>

**Cc:** Miller, Michael F <MillerMF@state.gov>; PM-CPA <PM-CPA@state.gov>; Kovar, Jeffrey D <KovarJD@state.gov>; Dorosin, Joshua L <DorosinJL@state.gov>

**Subject:** RE: AM to S

I think Joe may be out today. He left instructions for DDTC should they be needed on where to access the files, etc, as follows:



As such, adding Jeff and Josh to conduct that review so this is ready to move today if needed.

SENSITIVE BUT UNCLASSIFIED

**From:** Noonan, Michael J <NoonanMJ@state.gov>

**Sent:** Friday, December 20, 2019 10:20 AM

**To:** Hart, Robert L <HartRL@state.gov>; Paul, Joshua M <PaulJM@state.gov>; Khawam, Joseph N <KhawamJN@state.gov>

**Cc:** Miller, Michael F <MillerMF@state.gov>; PM-CPA <PM-CPA@state.gov>

**Subject:** RE: AM to S

+ Joe Khawam, who is keeper of all the documents.

SENSITIVE BUT UNCLASSIFIED

**From:** Hart, Robert L <HartRL@state.gov>

**Sent:** Friday, December 20, 2019 10:10 AM

**To:** Paul, Joshua M <PaulJM@state.gov>; Noonan, Michael J <NoonanMJ@state.gov>

**Cc:** Miller, Michael F <MillerMF@state.gov>; PM-CPA <PM-CPA@state.gov>

**Subject:** RE: AM to S

+Michael Noonan, who was working on the documents for Sarah yesterday

Rob Hart

202.736.9221 | [hartrl@state.gov](mailto:hartrl@state.gov)

SENSITIVE BUT UNCLASSIFIED

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**To:** Hart, Robert L <HartRL@state.gov>

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**Subject:** AM to S

Please have the AM on Cats 1-3 clean and ready to move to the PM FO; will let you know ASAP if it needs to go.

---

**Josh Paul**

Director, Congressional & Public Affairs  
Bureau of Political-Military Affairs (PM/CPA)  
U.S. Department of State

☎ Phone: 202.647.7878 | ① BlackBerry: 202.679.6724 | 📠 Fax: 202.647.4055

✉ e-mail: [PaulJM@State.Gov](mailto:PaulJM@State.Gov) | 🖨 Web: [www.state.gov/t/pm/](http://www.state.gov/t/pm/)

🐦 <http://twitter.com/StateDeptPM>

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## Message

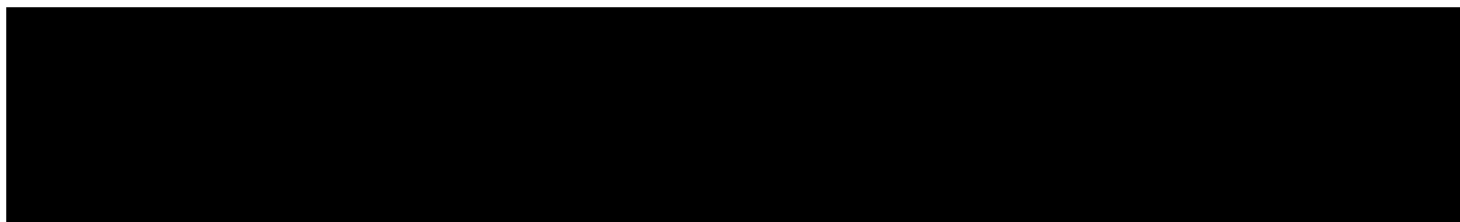
**From:** Khawam, Joseph N [KhawamJN@state.gov]  
**Sent:** 12/20/2019 6:17:21 PM  
**To:** Kovar, Jeffrey D [KovarJD@state.gov]; Dorosin, Joshua L [DorosinJL@state.gov]  
**Subject:** RE: AM to S  
**Attachments:** AM for S - USML Cat I-III Final FRN v7.docx; Tab 1 - FRN Revised USML Categories I II and III Full Text - 12 19 2019 (Pompeo).docx; Tab 2 - Commerce Draft Final Rule.pdf; Tab 3 - Overview of State Department's Efforts to Revise USML Categories I, II, and III.docx; Tab 4 - Background on Major vs Non Major Rules.pdf; Tab 5 - February 2019 Senator Menendez Letter.pdf; Tab 6 - December 2019 Senator Menendez Letter.pdf; Tab 3 Att 2 - National Security and Foreign Policy Analysis.docx; Tab 3 Att 12 - DRAFT Roll-Out Plan and Fact Sheet.docx; Tab 3 Att 20 - Readout of NGO Roundtable (12-12-19).docx

Attached please find the draft final rule AM package. I attached all of the tabs to the AM, but not all of the attachments to Tab 3. I only included the attachments to Tab 3 that I thought you might be interested in seeing. The other attachments to Tab 3 are historical documents and cannot be edited. Please let me know if you have any questions. Thanks.

SENSITIVE BUT UNCLASSIFIED

**From:** Paul, Joshua M <PaulJM@state.gov>  
**Sent:** Friday, December 20, 2019 10:33 AM  
**To:** Noonan, Michael J <NoonanMJ@state.gov>; Hart, Robert L <HartRL@state.gov>; Khawam, Joseph N <KhawamJN@state.gov>  
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**Subject:** RE: AM to S

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**Cc:** Miller, Michael F <[Millermf@state.gov](mailto:Millermf@state.gov)>; PM-CPA <[PM-CPA@state.gov](mailto:PM-CPA@state.gov)>  
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**Subject:** AM to S

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**Josh Paul**  
Director, Congressional & Public Affairs  
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U.S. Department of State

☎ Phone: 202.647.7878 | 📞 BlackBerry: [REDACTED] | 📠 Fax: 202.647.4055  
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 JEFF MERKLEY, OREGON  
 CORY A. BOOKER, NEW JERSEY

# United States Senate

COMMITTEE ON FOREIGN RELATIONS

WASHINGTON, DC 20510-6225

February 22, 2019

The Honorable Mike Pompeo  
 Secretary of State  
 U.S. Department of State  
 2201 C Street, N.W.  
 Washington, D.C. 20520

Dear Secretary Pompeo:

On February 4, 2019, I received a congressional notification from the Department for a proposal to transfer responsibility for the export control of firearms and ammunition from the United States Munitions list (USML) to the Commerce Control List (CCL). I write to inform you that I am placing a hold on the congressional notification, pursuant to the authority of Section 38(f) of the Arms Export Control Act (AECA).

I am deeply concerned about this proposed transfer. As you no doubt are aware, firearms and ammunition – especially those derived from military models and widely used by military and security services – are uniquely dangerous. They are easily modified, diverted, and proliferated, and are the primary means of injury, death, and destruction in civil and military conflicts throughout the world. As such, they should be subject to more, not less, rigorous export controls and oversight.

Combat rifles, including those commonly known as “sniper rifles,” should not be removed from the USML, nor should rifles of any type that are U.S. military-standard 5.56 (and especially .50 caliber). Semi-automatic firearms should also not be removed, and neither should related equipment, ammunition, or associated manufacturing equipment, technology, or technical data.

Consequently, my hold will remain in place until such time as the issues identified below are sufficiently addressed.

## 1) Removal of Firearms Exports from Congressional Information and Review

The AECA enables congressional review of exports of lethal weapons to ensure that they comport with U.S. foreign policy interests. Congress took action in 2002 to ensure that the sale and export of these weapons would receive stringent oversight, including by amending the AECA to set a lower reporting threshold (from \$14 million to \$1 million) specifically for firearms on the USML. Moving such firearms from the USML to the CCL would directly



contradict congressional intent and effectively eliminate congressional oversight and potential disapproval of exports of these weapons. Congressional oversight must be retained.

## 2) Proliferation of 3D Gun Printing Technical Information

There is a serious risk that this transfer will open the floodgates of information for the 3D printing of nearly-undetectable firearms and components by foreign persons and terrorists that intend to harm U.S. citizens and interests. The Department of Commerce claims that it cannot, by its own regulations, prevent the publication, including on the Internet for global consumption, of technical information and blueprint files that would enable this 3D production, if such information has once been published, even illegally. This is outrageous and simply unacceptable given the dangers it poses to U.S. citizens and interests.

Moreover, it may also be at variance with recent law. Section 1758 of the Export Control Reform Act of 2018 authorizes the Secretary of Commerce to control “emerging and foundational technologies” that (A) are essential to the national security of the United States; and (B) are not critical technologies described in clauses (i) through (v) of section 721(a)(6)(A) of the Defense Production Act of 1950. 3D printing has been identified by this Administration as an emerging technology of concern, and the Department of Commerce itself used 3D printing as an example of “emerging technology” in its November 19, 2018 Federal Register notice seeking public comment on what constitutes emerging technologies pursuant to this new statutory charge. Then-Secretary of Defense Mattis twice mentioned the challenges of 3D printing in congressional testimony, and Director of National Intelligence Coats, in his 2018 Worldwide Threat Assessment of the U.S. Intelligence Community, stated that, “[a]dvances in manufacturing, particularly the development of 3D printing, almost certainly will become even more accessible to a variety of state and non-state actors and be used in ways contrary to our interests.”

It would seem axiomatic that the capability to 3D-print lethal weaponry that cannot easily or reliably be detected by metal detectors at airports, schools, governmental or other facilities (including the U.S. Capitol and the Department of State) would qualify as an emerging technology in need of regulatory control. Yet, the Commerce Department has told my staff that the interagency process to identify emerging and foundational technologies to be controlled has not been completed, and is unlikely to be completed for months. By proceeding with the transfer of firearms, including 3D printing technical information, to Commerce, the Administration is acting recklessly and endangering innocent lives. It should go without saying that we collectively need to understand the threat and have a plan to address this issue before making the regulatory change.

Moreover, the Department of Commerce would seem to have adequate additional regulatory authority to control 3D gun printing information, at least temporarily. Commerce can control any item for foreign policy reasons under the miscellaneous category of 0Y521, according to a final rule issued by Commerce in 2012. Preventing foreign terrorists and thugs from acquiring



the means to print undetectable guns to use against U.S. citizens is a sufficient foreign policy justification to control this technology from public release.

Ultimately, the specific provision of the Export Administration Regulations is cited as preventing Commerce from controlling the publication of 3D Printed guns in the longer term needs to be rewritten to permit this control. Until that occurs, or until Commerce determines that such technical information can and will be controlled, this technical information cannot and should not be transferred from USML to the CCL.

I look forward to your prompt response to my concerns.

Sincerely,

A handwritten signature in black ink, reading "Robert Menendez". The signature is fluid and cursive, with a large, stylized "R" and "M".

Robert Menendez  
Ranking Member

CC: The Honorable Wilbur Ross, U.S. Secretary of Commerce

JAMES E. RISCH, IDAHO, CHAIRMAN

MARCO RUBIO, FLORIDA  
 RON JOHNSON, WISCONSIN  
 CORY GARDNER, COLORADO  
 MITT ROMNEY, UTAH  
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 GARY A. BOOKER, NEW JERSEY

## United States Senate

COMMITTEE ON FOREIGN RELATIONS

WASHINGTON, DC 20510-6225

December 10, 2019

The Honorable Mike Pompeo  
 Secretary of State  
 U.S. Department of State  
 2201 C Street, N.W.  
 Washington, D.C.

Dear Secretary Pompeo:

On February 4, 2019, I received congressional notification from the Department, pursuant to the authority of section 38(f) of the Arms Export Control Act (AECA), for the proposed transfer of responsibility for the export control of firearms and ammunition from the United States Munitions list (USML) to the Commerce Control List (CCL). I wrote to inform you on February 22 that I was placing a hold on that congressional notification. On November 12, 2019, the Department submitted a new 38(f) notification in response to a proposed regulatory change by the Department of Commerce. I write to inform you that I am placing a hold on the November 12, 2019 notification for the reasons detailed below.

As you no doubt are aware, firearms and ammunition – especially those derived from military models and widely in-use by military and security services - are uniquely dangerous. They are easily modified, diverted, and proliferated, and are the primary means of injury, death, and destruction in civil and military conflicts throughout the world. As such, they should be subject to more rigorous export controls and oversight, not less.

Combat rifles, including those commonly known as “sniper rifles,” should not be removed from the USML, nor should rifles of any type that are U.S. military-standard 5.56 (and especially .50 caliber). Semi-automatic firearms should also not be removed, and neither should related equipment, ammunition, or associated manufacturing equipment, technology, or technical data.

My hold will remain in place until such time as the issue identified below is sufficiently addressed.

### 1) Removal of Firearms Exports from Congressional Information and Review

The AECA provides for congressional review of exports of lethal weapons to ensure that they comport with U.S. foreign policy interests. As you know, Congress took action in 2002 to ensure that the sale and export of these weapons would receive closer scrutiny and oversight, including by amending the AECA to set a lower congressional reporting threshold (from \$14 million to \$1 million) specifically for firearms on the USML. Moving such firearms from the USML to the CCL would effectively eliminate congressional oversight of exports of these weapons by eliminating this congressional reporting requirement, and would be directly contrary to congressional intent.

To that end, I reiterate my demand from my previous letter: the Senate Foreign Relations and House Foreign Affairs committees must be immediately informed of any proposed license to export firearms formerly controlled on the USML at the appropriate dollar threshold mandated in the Arms Export Control Act. This concern must be satisfactorily addressed before I will lift my hold.

2) Proliferation of 3D Gun Printing Technical Information

In my February letter, I expressed that there is a serious risk that this transfer will open the floodgates of information for the 3D printing of nearly-undetectable firearms and components by foreign persons and terrorists that intend to harm U.S. citizens and interests. The Department of Commerce claimed that it could not, by its own regulations, prevent the publication, including on the Internet for global consumption, of technical information and blueprint files that would enable this 3D production, if such information has once been published, even illegally. I wrote that:

*Ultimately, the specific provision of the Export Administration Regulations that is cited as preventing Commerce from controlling the publication of 3D Printed guns in the longer term needs to be rewritten to permit this control. Until that occurs, or until Commerce determines that such technical information can and will be controlled, this technical information cannot and should not be transferred from USML to the CCL.*

I understand that the Department of Commerce has now decided to alter its regulations to address this concern; technical information related to the manufacture of firearms, to include 3D-printing information, proposed for transfer to the CCL will be prohibited from publication or Internet posting without a license. That does seek to address my previously-expressed concern, and I will not insist on this to lift my hold. However, I note that this improvement could easily be undone through a simple regulatory change in the future that would not even require congressional notification or review; a statutory authority to maintain such licensing, or better yet, an outright prohibition, may be required. Moreover, Commerce must maintain a policy of "presumption of denial" for any license application sought to publish or post such information, and pursue any violations vigorously.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert Menendez". The signature is fluid and cursive, with a large, stylized "R" and "M".

Robert Menendez  
Ranking Member

Message

**From:** Khawam, Joseph N [KhawamJN@state.gov]  
**Sent:** 12/20/2019 6:23:32 PM  
**To:** Kovar, Jeffrey D [KovarJD@state.gov]  
**Subject:** RE: AM to S

Will do.

SENSITIVE BUT UNCLASSIFIED

**From:** Kovar, Jeffrey D <KovarJD@state.gov>  
**Sent:** Friday, December 20, 2019 1:22 PM  
**To:** Khawam, Joseph N <KhawamJN@state.gov>  
**Subject:** RE: AM to S

No problem. Can you also send Josh the IM as a heads up? Thanks.

SENSITIVE BUT UNCLASSIFIED

**From:** Khawam, Joseph N <KhawamJN@state.gov>  
**Sent:** Friday, December 20, 2019 1:19 PM  
**To:** Kovar, Jeffrey D <KovarJD@state.gov>  
**Subject:** RE: AM to S

Thanks, Jeff, and apologies that I was off line the past few hours.

SENSITIVE BUT UNCLASSIFIED

**From:** Kovar, Jeffrey D <KovarJD@state.gov>  
**Sent:** Friday, December 20, 2019 1:14 PM  
**To:** Khawam, Joseph N <KhawamJN@state.gov>  
**Subject:** RE: AM to S

OK. I'll be seeing him at 2pm.

SENSITIVE BUT UNCLASSIFIED

**From:** Khawam, Joseph N <KhawamJN@state.gov>  
**Sent:** Friday, December 20, 2019 1:12 PM  
**To:** Kovar, Jeffrey D <KovarJD@state.gov>  
**Subject:** RE: AM to S

I will send you and Josh Dorosin the latest draft of the final rule AM package now.

SENSITIVE BUT UNCLASSIFIED

**From:** Kovar, Jeffrey D <KovarJD@state.gov>  
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Adding Rob – DTCP, increasing odds this may move to S **\*today\*** - please facilitate L review of the latest version.

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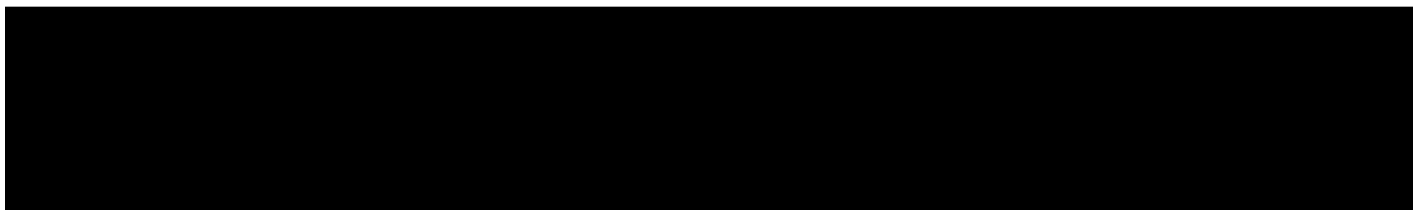
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**From:** Paul, Joshua M <PaulJM@state.gov>  
**Sent:** Friday, December 20, 2019 10:10 AM  
**To:** Hart, Robert L <HartRL@state.gov>  
**Cc:** Miller, Michael F <MillerMF@state.gov>; PM-CPA <PM-CPA@state.gov>  
**Subject:** AM to S

Please have the AM on Cats 1-3 clean and ready to move to the PM FO; will let you know ASAP if it needs to go.

---

**Josh Paul**

Director, Congressional & Public Affairs  
Bureau of Political-Military Affairs (PM/CPA)  
U.S. Department of State

☎ Phone: 202.647.7878 | 📠 BlackBerry: [REDACTED] | 📠 Fax: 202.647.4055  
✉ e-mail: [PaulJM@State.Gov](mailto:PaulJM@State.Gov) | 🌐 Web: [www.state.gov/t/pm/](http://www.state.gov/t/pm/)

🐦 <http://twitter.com/StateDeptPM>

Stay connected with *State.gov*:



SENSITIVE BUT UNCLASSIFIED

Message

**From:** Khawam, Joseph N [KhawamJN@state.gov]  
**Sent:** 12/20/2019 6:32:02 PM  
**To:** Dorosin, Joshua L [DorosinJL@state.gov]  
**CC:** Kovar, Jeffrey D [KovarJD@state.gov]; Pompian, Shawn M [PompianSM@state.gov]  
**Subject:** RE: DRAFT Note  
**Attachments:** Note to S on Cats 1-3 v1.1 (002).docx

Josh: [REDACTED]

Thanks,  
Joe

SENSITIVE BUT UNCLASSIFIED

**From:** Paul, Joshua M <PaulJM@state.gov>  
**Sent:** Friday, December 20, 2019 10:36 AM  
**To:** Goulding, Tamara D <GouldingTD@state.gov>; Abisellan, Eduardo <AbisellanE@state.gov>; Brechwald, Matthew J (T) <BrechwaldMJ2@state.gov>; Noonan, Michael J <NoonanMJ@state.gov>; Hart, Robert L <HartRL@state.gov>; Kovar, Jeffrey D <KovarJD@state.gov>  
**Cc:** Robbins, Hailey <RobbinsH2@state.gov>; Kaldahl, Ryan M <KaldahlRM@state.gov>; Miller, Michael F <MillerMF@state.gov>; Windecker, Melissa A <WindeckerMA@state.gov>; PM-CPA <PM-CPA@state.gov>  
**Subject:** DRAFT Note

Dear all,

Subsequent to a 0930 meeting between T, H and PM I am attaching a draft Note to S. [REDACTED]

[REDACTED] But in the meantime please make any technical corrections so this is ready to go if needed.

Thanks,

Josh

**Josh Paul**

Director, Congressional & Public Affairs  
Bureau of Political-Military Affairs (PM/CPA)  
U.S. Department of State

☎ Phone: 202.647.7878 | 📠 BlackBerry: [REDACTED] | 📠 Fax: 202.647.4055

✉ e-mail: [PaulJM@State.Gov](mailto:PaulJM@State.Gov) | 🌐 Web: [www.state.gov/t/pm/](http://www.state.gov/t/pm/)

🐦 <http://twitter.com/StateDeptPM>

Stay connected with *State.gov*:



SENSITIVE BUT UNCLASSIFIED



Message

**From:** Paul, Joshua M [PaulJM@state.gov]  
**Sent:** 12/20/2019 8:23:22 PM  
**To:** Goulding, Tamara D [GouldingTD@state.gov]; Abisellan, Eduardo [AbisellanE@state.gov]; Brechwald, Matthew J (T) [BrechwaldMJ2@state.gov]; Noonan, Michael J [NoonanMJ@state.gov]; Hart, Robert L [HartRL@state.gov]; Kovar, Jeffrey D [KovarJD@state.gov]  
**CC:** Robbins, Hailey [RobbinsH2@state.gov]; Kaldahl, Ryan M [KaldahlRM@state.gov]; Miller, Michael F [MillerMF@state.gov]; Windecker, Melissa A [WindeckerMA@state.gov]; PM-CPA [PM-CPA@state.gov]; Betts, Timothy A [BettsTA@state.gov]  
**Subject:** RE: DRAFT Note  
**Attachments:** Note to S on Cats 1-3 v1.2.docx

Dear all

Attaching the latest version of the note to S [REDACTED]  
[REDACTED]

DDTC – [REDACTED]

Thanks,

Josh

SENSITIVE BUT UNCLASSIFIED

**From:** Paul, Joshua M  
**Sent:** Friday, December 20, 2019 10:36 AM  
**To:** Goulding, Tamara D <GouldingTD@state.gov>; Abisellan, Eduardo <AbisellanE@state.gov>; Brechwald, Matthew J (T) <BrechwaldMJ2@state.gov>; Noonan, Michael J <NoonanMJ@state.gov>; Hart, Robert L <HartRL@state.gov>; Kovar, Jeffrey D <KovarJD@state.gov>  
**Cc:** Robbins, Hailey <RobbinsH2@state.gov>; Kaldahl, Ryan M <KaldahlRM@state.gov>; Miller, Michael F <MillerMF@state.gov>; Windecker, Melissa A <WindeckerMA@state.gov>; PM-CPA <PM-CPA@state.gov>  
**Subject:** DRAFT Note

Dear all,

Subsequent to a 0930 meeting between T, H and PM I am attaching a draft Note to S. [REDACTED]  
[REDACTED]

[REDACTED] But in the meantime please make any technical corrections so this is ready to go if needed.

Thanks,

Josh

**Josh Paul**

Director, Congressional & Public Affairs  
Bureau of Political-Military Affairs (PM/CPA)  
U.S. Department of State

Phone: 202.647.7878 | BlackBerry: [REDACTED] | Fax: 202.647.4055

✉ e-mail: [PaulJM@State.Gov](mailto:PaulJM@State.Gov) | 🖨 Web: [www.state.gov/t/pm/](http://www.state.gov/t/pm/)

🐦 <http://twitter.com/StateDeptPM>

Stay connected with *State.gov*:



SENSITIVE BUT UNCLASSIFIED

Message

---

**From:** Abisellan, Eduardo [AbisellanE@state.gov]  
**Sent:** 12/20/2019 9:18:49 PM  
**To:** Ford, Christopher A [FordCA@state.gov]  
**CC:** Robbins, Hailey [RobbinsH2@state.gov]; Brechwald, Matthew J (T) [BrechwaldMJ2@state.gov]  
**Subject:** Note to S CAT I-III  
**Attachments:** Note to S on Cats 1-3 v1.2.docx  
**Importance:** High

Sir,

[REDACTED]

[REDACTED]

Vr/Ed

[REDACTED]



Message

**From:** Ford, Christopher A [FordCA@state.gov]  
**Sent:** 12/20/2019 9:24:57 PM  
**To:** Abisellan, Eduardo [AbisellanE@state.gov]  
**CC:** Robbins, Hailey [RobbinsH2@state.gov]; Brechwald, Matthew J (T) [BrechwaldMJ2@state.gov]  
**Subject:** RE: Note to S CAT I-III  
**Attachments:** Note to S on Cats 1-3 v1.4.docx

Edits attached – though note that this is not to your “corrected copy” because I didn’t see that one in time.

SENSITIVE BUT UNCLASSIFIED

**From:** Abisellan, Eduardo <AbisellanE@state.gov>  
**Sent:** Friday, December 20, 2019 4:22 PM  
**To:** Ford, Christopher A <FordCA@state.gov>  
**Cc:** Robbins, Hailey <RobbinsH2@state.gov>; Brechwald, Matthew J (T) <BrechwaldMJ2@state.gov>  
**Subject:** FW: Note to S CAT I-III  
**Importance:** High

Corrected copy. V/Ed

SENSITIVE BUT UNCLASSIFIED

**From:** Abisellan, Eduardo  
**Sent:** Friday, December 20, 2019 4:19 PM  
**To:** Ford, Christopher A <FordCA@state.gov>  
**Cc:** Robbins, Hailey <RobbinsH2@state.gov>; Brechwald, Matthew J (T) <BrechwaldMJ2@state.gov>  
**Subject:** Note to S CAT I-III  
**Importance:** High

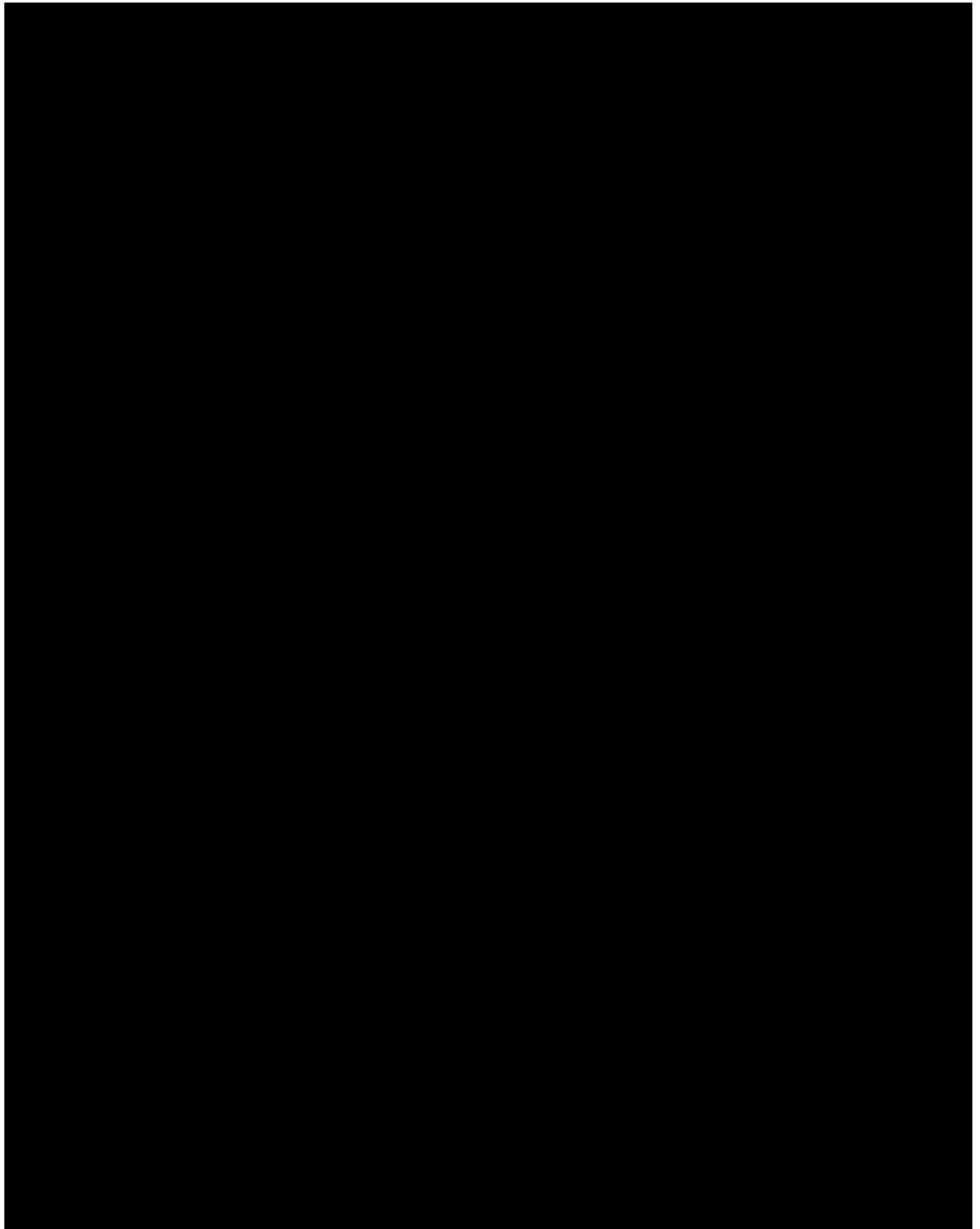
Sir,

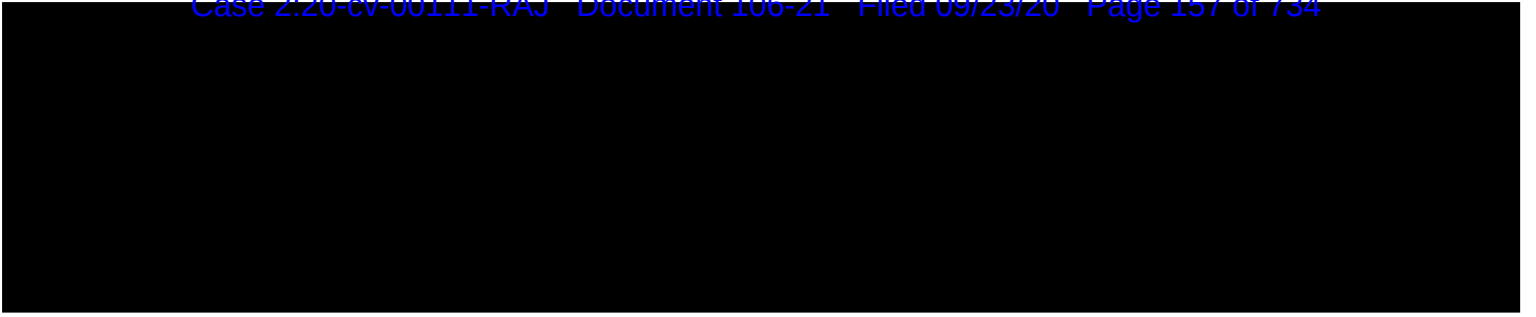
[REDACTED]

[REDACTED]

Vr/Ed

[REDACTED]





Message

**From:** Abisellan, Eduardo [AbisellanE@state.gov]  
**Sent:** 12/20/2019 9:40:49 PM  
**To:** Ford, Christopher A [FordCA@state.gov]  
**CC:** Robbins, Hailey [RobbinsH2@state.gov]; Brechwald, Matthew J (T) [BrechwaldMJ2@state.gov]  
**Subject:** RE: Note to S CAT I-III

Solid copy. Forwarding edited copy.

Vr/Ed

SENSITIVE BUT UNCLASSIFIED

**From:** Ford, Christopher A <FordCA@state.gov>  
**Sent:** Friday, December 20, 2019 4:25 PM  
**To:** Abisellan, Eduardo <AbisellanE@state.gov>  
**Cc:** Robbins, Hailey <RobbinsH2@state.gov>; Brechwald, Matthew J (T) <BrechwaldMJ2@state.gov>  
**Subject:** RE: Note to S CAT I-III

Edits attached – though note that this is not to your “corrected copy” because I didn’t see that one in time.

SENSITIVE BUT UNCLASSIFIED

**From:** Abisellan, Eduardo <AbisellanE@state.gov>  
**Sent:** Friday, December 20, 2019 4:22 PM  
**To:** Ford, Christopher A <FordCA@state.gov>  
**Cc:** Robbins, Hailey <RobbinsH2@state.gov>; Brechwald, Matthew J (T) <BrechwaldMJ2@state.gov>  
**Subject:** FW: Note to S CAT I-III  
**Importance:** High

Corrected copy. V/Ed

SENSITIVE BUT UNCLASSIFIED

**From:** Abisellan, Eduardo  
**Sent:** Friday, December 20, 2019 4:19 PM  
**To:** Ford, Christopher A <FordCA@state.gov>  
**Cc:** Robbins, Hailey <RobbinsH2@state.gov>; Brechwald, Matthew J (T) <BrechwaldMJ2@state.gov>  
**Subject:** Note to S CAT I-III  
**Importance:** High

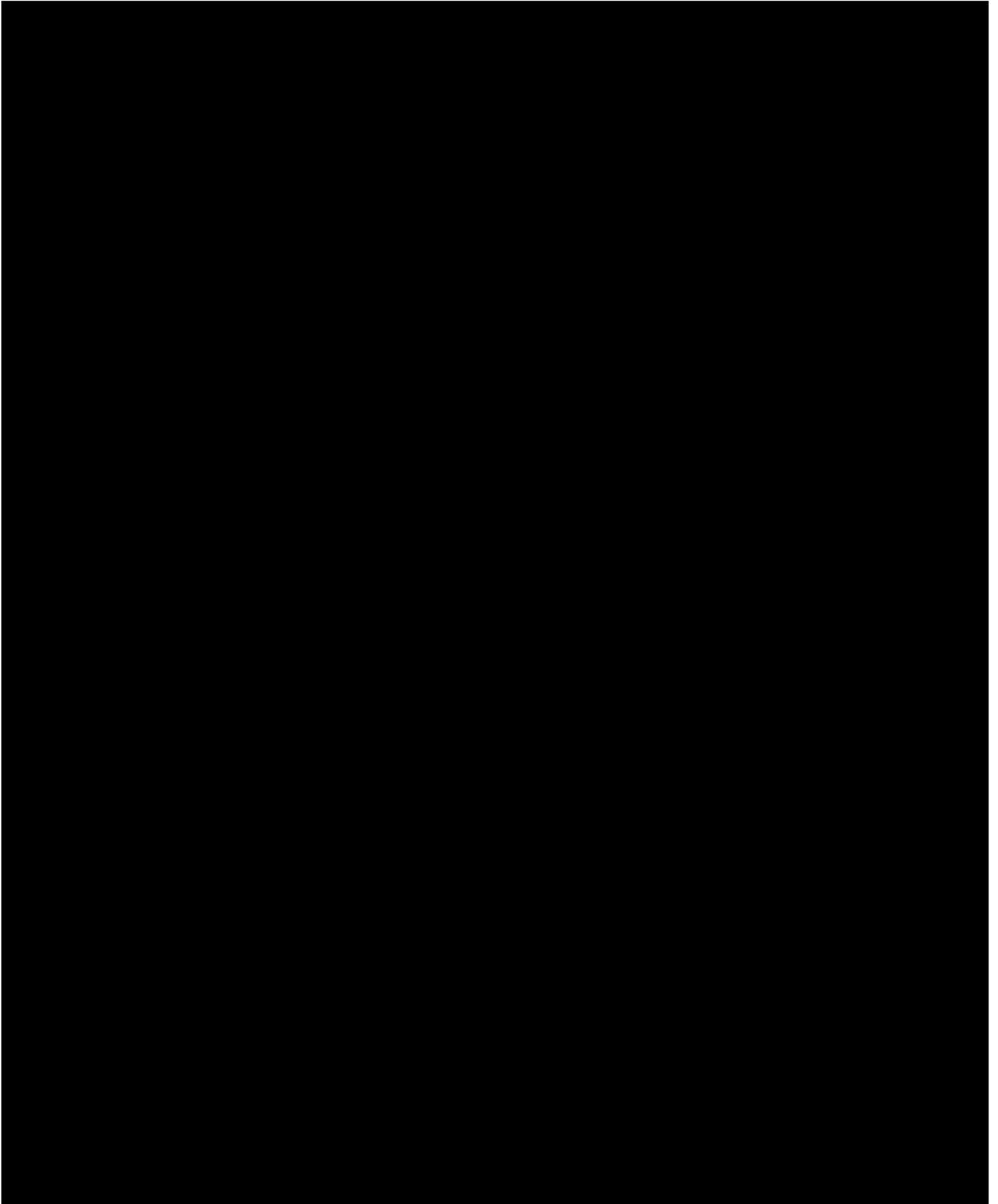
Sir,

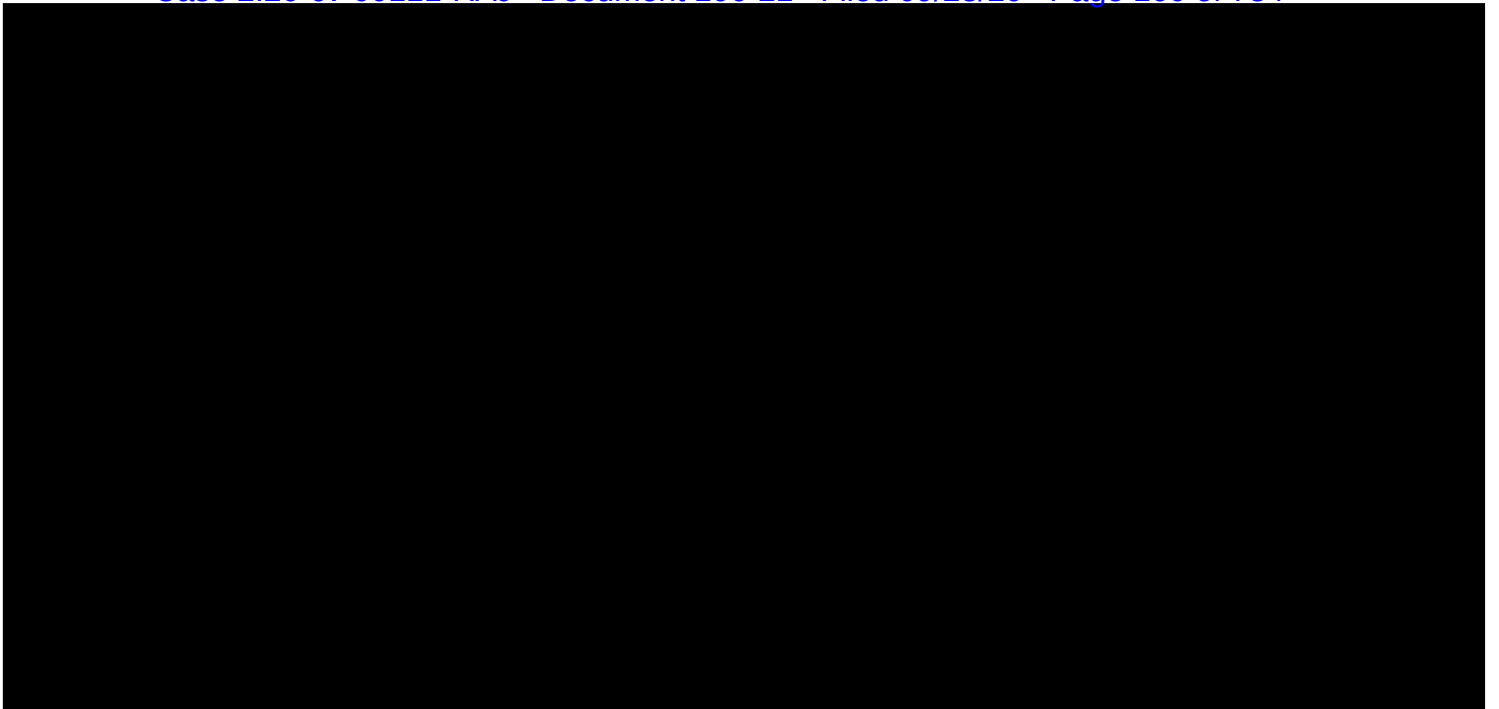
[REDACTED]

[REDACTED]



Vr/Ed





## Message

**From:** Abisellan, Eduardo [AbisellanE@state.gov]  
**Sent:** 12/20/2019 9:46:09 PM  
**To:** Kovar, Jeffrey D [KovarJD@state.gov]; Paul, Joshua M [PaulJM@state.gov]; Goulding, Tamara D [GouldingTD@state.gov]; Brechwald, Matthew J (T) [BrechwaldMJ2@state.gov]; Noonan, Michael J [NoonanMJ@state.gov]; Hart, Robert L [HartRL@state.gov]  
**CC:** Robbins, Hailey [RobbinsH2@state.gov]; Kaldahl, Ryan M [KaldahlRM@state.gov]; Miller, Michael F [MillerMF@state.gov]; Windecker, Melissa A [WindeckerMA@state.gov]; PM-CPA [PM-CPA@state.gov]; Betts, Timothy A [BettsTA@state.gov]  
**Subject:** RE: DRAFT Note  
**Attachments:** Note to S on Cats 1-3 v1.4 Ford Edits.docx

Josh,

A/S Ford cleared as edited.

V/Ed

SENSITIVE BUT UNCLASSIFIED

**From:** Kovar, Jeffrey D <KovarJD@state.gov>  
**Sent:** Friday, December 20, 2019 3:59 PM  
**To:** Paul, Joshua M <PaulJM@state.gov>; Goulding, Tamara D <GouldingTD@state.gov>; Abisellan, Eduardo <AbisellanE@state.gov>; Brechwald, Matthew J (T) <BrechwaldMJ2@state.gov>; Noonan, Michael J <NoonanMJ@state.gov>; Hart, Robert L <HartRL@state.gov>  
**Cc:** Robbins, Hailey <RobbinsH2@state.gov>; Kaldahl, Ryan M <KaldahlRM@state.gov>; Miller, Michael F <MillerMF@state.gov>; Windecker, Melissa A <WindeckerMA@state.gov>; PM-CPA <PM-CPA@state.gov>; Betts, Timothy A <BettsTA@state.gov>  
**Subject:** RE: DRAFT Note

Minor nits marked.

SENSITIVE BUT UNCLASSIFIED

**From:** Paul, Joshua M <PaulJM@state.gov>  
**Sent:** Friday, December 20, 2019 3:23 PM  
**To:** Goulding, Tamara D <GouldingTD@state.gov>; Abisellan, Eduardo <AbisellanE@state.gov>; Brechwald, Matthew J (T) <BrechwaldMJ2@state.gov>; Noonan, Michael J <NoonanMJ@state.gov>; Hart, Robert L <HartRL@state.gov>; Kovar, Jeffrey D <KovarJD@state.gov>  
**Cc:** Robbins, Hailey <RobbinsH2@state.gov>; Kaldahl, Ryan M <KaldahlRM@state.gov>; Miller, Michael F <MillerMF@state.gov>; Windecker, Melissa A <WindeckerMA@state.gov>; PM-CPA <PM-CPA@state.gov>; Betts, Timothy A <BettsTA@state.gov>  
**Subject:** RE: DRAFT Note

Dear all

Attaching the latest version of the note to S [REDACTED]

DDTC – [REDACTED]

Thanks,

Josh

SENSITIVE BUT UNCLASSIFIED

**From:** Paul, Joshua M

**Sent:** Friday, December 20, 2019 10:36 AM

**To:** Goulding, Tamara D <GouldingTD@state.gov>; Abisellan, Eduardo <AbisellanE@state.gov>; Brechwald, Matthew J (T) <BrechwaldMJ2@state.gov>; Noonan, Michael J <NoonanMJ@state.gov>; Hart, Robert L <HartRL@state.gov>; Kovar, Jeffrey D <KovarJD@state.gov>

**Cc:** Robbins, Hailey <RobbinsH2@state.gov>; Kaldahl, Ryan M <KaldahlRM@state.gov>; Miller, Michael F <MillerMF@state.gov>; Windecker, Melissa A <WindeckerMA@state.gov>; PM-CPA <PM-CPA@state.gov>

**Subject:** DRAFT Note

Dear all,

Subsequent to a 0930 meeting between T, H and PM I am attaching a draft Note to S. For your awareness, this is not yet ready for clearance. [REDACTED]

[REDACTED] But in the meantime please make any technical corrections so this is ready to go if needed.

Thanks,

Josh

---

**Josh Paul**

Director, Congressional & Public Affairs  
Bureau of Political-Military Affairs (PM/CPA)  
U.S. Department of State

☎ Phone: 202.647.7878 | ① BlackBerry: [REDACTED] 📠 Fax: 202.647.4055

✉ e-mail: [PaulJM@State.Gov](mailto:PaulJM@State.Gov) | 🌐 Web: [www.state.gov/t/pm/](http://www.state.gov/t/pm/)

🐦 <http://twitter.com/StateDeptPM>

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SENSITIVE BUT UNCLASSIFIED

Message

**From:** Nightingale, Robert L [NightingaleRL@state.gov]  
**Sent:** 12/20/2019 10:54:34 PM  
**To:** Kovar, Jeffrey D [KovarJD@state.gov]  
**Subject:** RE: L/PM Weekly

Thanks, Jeff!

SENSITIVE BUT UNCLASSIFIED

**From:** Kovar, Jeffrey D <KovarJD@state.gov>  
**Sent:** Friday, December 20, 2019 5:43 PM  
**To:** Nightingale, Robert L <NightingaleRL@state.gov>  
**Cc:** Legal-PM-DL <Legal-PM-DL@state.gov>  
**Subject:** L/PM Weekly

1. **(SBU) Transfer of Categories I-III:** Senator Menendez canceled the meeting scheduled for 12/19 with Assistant Secretary Cooper and others

[REDACTED]

[REDACTED]

SENSITIVE BUT UNCLASSIFIED

## Message

**From:** Kaldahl, Ryan M [KaldahlRM@state.gov]  
**Sent:** 12/22/2019 7:48:49 PM  
**To:** Abisellan, Eduardo [AbisellanE@state.gov]; Kovar, Jeffrey D [KovarJD@state.gov]; Paul, Joshua M [PaulJM@state.gov]; Goulding, Tamara D [GouldingTD@state.gov]; Brechwald, Matthew J (T) [BrechwaldMJ2@state.gov]; Noonan, Michael J [NoonanMJ@state.gov]; Hart, Robert L [HartRL@state.gov]  
**CC:** Robbins, Hailey [RobbinsH2@state.gov]; Miller, Michael F [MillerMF@state.gov]; Windecker, Melissa A [WindeckerMA@state.gov]; PM-CPA [PM-CPA@state.gov]; Betts, Timothy A [BettsTA@state.gov]; Barz, Chloe O [BarzCO@state.gov]  
**Subject:** RE: DRAFT Note  
**Attachments:** Note to S on Cats 1-3 v1.4 Ford Edits rk cb.docx

The attached version w/edits is cleared for H by A/S Taylor. Adding her Special Advisor, Chloe, as I will be on travel.

Ryan Kaldahl  
 (202) 391-8831

## SENSITIVE BUT UNCLASSIFIED

**From:** Abisellan, Eduardo <AbisellanE@state.gov>  
**Sent:** Friday, December 20, 2019 4:46 PM  
**To:** Kovar, Jeffrey D <KovarJD@state.gov>; Paul, Joshua M <PaulJM@state.gov>; Goulding, Tamara D <GouldingTD@state.gov>; Brechwald, Matthew J (T) <BrechwaldMJ2@state.gov>; Noonan, Michael J <NoonanMJ@state.gov>; Hart, Robert L <HartRL@state.gov>  
**Cc:** Robbins, Hailey <RobbinsH2@state.gov>; Kaldahl, Ryan M <KaldahlRM@state.gov>; Miller, Michael F <MillerMF@state.gov>; Windecker, Melissa A <WindeckerMA@state.gov>; PM-CPA <PM-CPA@state.gov>; Betts, Timothy A <BettsTA@state.gov>  
**Subject:** RE: DRAFT Note

Josh,

A/S Ford cleared as edited.

V/Ed

## SENSITIVE BUT UNCLASSIFIED

**From:** Kovar, Jeffrey D <KovarJD@state.gov>  
**Sent:** Friday, December 20, 2019 3:59 PM  
**To:** Paul, Joshua M <PaulJM@state.gov>; Goulding, Tamara D <GouldingTD@state.gov>; Abisellan, Eduardo <AbisellanE@state.gov>; Brechwald, Matthew J (T) <BrechwaldMJ2@state.gov>; Noonan, Michael J <NoonanMJ@state.gov>; Hart, Robert L <HartRL@state.gov>  
**Cc:** Robbins, Hailey <RobbinsH2@state.gov>; Kaldahl, Ryan M <KaldahlRM@state.gov>; Miller, Michael F <MillerMF@state.gov>; Windecker, Melissa A <WindeckerMA@state.gov>; PM-CPA <PM-CPA@state.gov>; Betts, Timothy A <BettsTA@state.gov>  
**Subject:** RE: DRAFT Note

Minor nits marked.

## SENSITIVE BUT UNCLASSIFIED

**From:** Paul, Joshua M <PaulJM@state.gov>

**Sent:** Friday, December 20, 2019 3:23 PM

**To:** Goulding, Tamara D <GouldingTD@state.gov>; Abisellan, Eduardo <AbisellanE@state.gov>; Brechwald, Matthew J (T) <BrechwaldMJ2@state.gov>; Noonan, Michael J <NoonanMJ@state.gov>; Hart, Robert L <HartRL@state.gov>; Kovar, Jeffrey D <KovarJD@state.gov>

**Cc:** Robbins, Hailey <RobbinsH2@state.gov>; Kaldahl, Ryan M <KaldahlRM@state.gov>; Miller, Michael F <MillerMF@state.gov>; Windecker, Melissa A <WindeckerMA@state.gov>; PM-CPA <PM-CPA@state.gov>; Betts, Timothy A <BettsTA@state.gov>

**Subject:** RE: DRAFT Note

Dear all

Attaching the latest version of the note to S [REDACTED]

DDTC – [REDACTED]

Thanks,

Josh

SENSITIVE BUT UNCLASSIFIED

**From:** Paul, Joshua M

**Sent:** Friday, December 20, 2019 10:36 AM

**To:** Goulding, Tamara D <GouldingTD@state.gov>; Abisellan, Eduardo <AbisellanE@state.gov>; Brechwald, Matthew J (T) <BrechwaldMJ2@state.gov>; Noonan, Michael J <NoonanMJ@state.gov>; Hart, Robert L <HartRL@state.gov>; Kovar, Jeffrey D <KovarJD@state.gov>

**Cc:** Robbins, Hailey <RobbinsH2@state.gov>; Kaldahl, Ryan M <KaldahlRM@state.gov>; Miller, Michael F <MillerMF@state.gov>; Windecker, Melissa A <WindeckerMA@state.gov>; PM-CPA <PM-CPA@state.gov>

**Subject:** DRAFT Note

Dear all,

Subsequent to a 0930 meeting between T, H and PM I am attaching a draft Note to S. For your awareness, this is not yet ready for clearance, [REDACTED]

[REDACTED] But in the meantime please make any technical corrections so this is ready to go if needed.

Thanks,

Josh

---

**Josh Paul**

Director, Congressional & Public Affairs  
Bureau of Political-Military Affairs (PM/CPA)  
U.S. Department of State

☎ Phone: 202.647.7878 | 📠 BlackBerry: [REDACTED] 📠 Fax: 202.647.4055

✉ e-mail: [PaulJM@State.Gov](mailto:PaulJM@State.Gov) | 🌐 Web: [www.state.gov/t/pm/](http://www.state.gov/t/pm/)

🐦 <http://twitter.com/StateDeptPM>

Stay connected with *State.gov*:



SENSITIVE BUT UNCLASSIFIED



Message

---

**From:** Nightingale, Robert L [NightingaleRL@state.gov]  
**Sent:** 12/23/2019 12:31:47 AM  
**To:** Legal-All-Employees-DL [Legal-All-Employees-DL@state.gov]  
**Subject:** Lookaheads week of 12/23/2019  
**Attachments:** Front Office holiday coverage; L Weekly Lookaheads - Dec 23 2019.docx

Hi all, this week's lookaheads are attached. Also, in case you missed it on Friday, I am attaching my message about Front Office coverage over the next couple of weeks. Happy holidays! Best, Robby

SENSITIVE BUT UNCLASSIFIED

Message

**From:** Windecker, Melissa A [WindeckerMA@state.gov]  
**Sent:** 12/23/2019 12:30:16 PM  
**To:** Paul, Joshua M [PaulJM@state.gov]; Miller, Michael F [MillerMF@state.gov]  
**Subject:** Fwd: RE: DRAFT Note  
**Attachments:** Note to S on Cats 1-3 v1.4 Ford Edits rk cb.docx

Josh, Mike,

Have we seen this version/do we have weird before we have the A/S clear?

Thanks!  
Mel

---  
Sent from Workspace ONE Boxer

----- Forwarded message -----

**From:** Kaldahl, Ryan M <KaldahlRM@state.gov>  
**Date:** December 22, 2019 at 2:48:51 PM EST  
**Subject:** RE: DRAFT Note  
**To:** Abisellan, Eduardo <AbisellanE@state.gov>, Kovar, Jeffrey D <KovarJD@state.gov>, Paul, Joshua M <PaulJM@state.gov>, Goulding, Tamara D <GouldingTD@state.gov>, Brechwald, Matthew J (T) <BrechwaldMJ2@state.gov>, Noonan, Michael J <NoonanMJ@state.gov>, Hart, Robert L <HartRL@state.gov>  
**Cc:** Robbins, Hailey <RobbinsH2@state.gov>, Miller, Michael F <MillerMF@state.gov>, Windecker, Melissa A <WindeckerMA@state.gov>, PM-CPA <PM-CPA@state.gov>, Betts, Timothy A <BettsTA@state.gov>, Barz, Chloe O <BarzCO@state.gov>

The attached version w/edits is cleared for H by A/S Taylor. Adding her Special Advisor, Chloe, as I will be on travel.

Ryan Kaldahl  
(202) 391-8831

SENSITIVE BUT UNCLASSIFIED

**From:** Abisellan, Eduardo <AbisellanE@state.gov>  
**Sent:** Friday, December 20, 2019 4:46 PM  
**To:** Kovar, Jeffrey D <KovarJD@state.gov>; Paul, Joshua M <PaulJM@state.gov>; Goulding, Tamara D <GouldingTD@state.gov>; Brechwald, Matthew J (T) <BrechwaldMJ2@state.gov>; Noonan, Michael J <NoonanMJ@state.gov>; Hart, Robert L <HartRL@state.gov>  
**Cc:** Robbins, Hailey <RobbinsH2@state.gov>; Kaldahl, Ryan M <KaldahlRM@state.gov>; Miller, Michael F <MillerMF@state.gov>; Windecker, Melissa A <WindeckerMA@state.gov>; PM-CPA <PM-CPA@state.gov>; Betts, Timothy A <BettsTA@state.gov>  
**Subject:** RE: DRAFT Note

Josh,

A/S Ford cleared as edited.

V/Ed

SENSITIVE BUT UNCLASSIFIED

**From:** Kovar, Jeffrey D <KovarJD@state.gov>  
**Sent:** Friday, December 20, 2019 3:59 PM  
**To:** Paul, Joshua M <PaulJM@state.gov>; Goulding, Tamara D <GouldingTD@state.gov>; Abisellan, Eduardo <AbisellanE@state.gov>; Brechwald, Matthew J (T) <BrechwaldMJ2@state.gov>; Noonan, Michael J <NoonanMJ@state.gov>; Hart, Robert L <HartRL@state.gov>  
**Cc:** Robbins, Hailey <RobbinsH2@state.gov>; Kaldahl, Ryan M <KaldahlRM@state.gov>; Miller, Michael F <MillerMF@state.gov>; Windecker, Melissa A <WindeckerMA@state.gov>; PM-CPA <PM-CPA@state.gov>; Betts, Timothy A <BettsTA@state.gov>  
**Subject:** RE: DRAFT Note

Minor nits marked.

SENSITIVE BUT UNCLASSIFIED

**From:** Paul, Joshua M <PaulJM@state.gov>  
**Sent:** Friday, December 20, 2019 3:23 PM  
**To:** Goulding, Tamara D <GouldingTD@state.gov>; Abisellan, Eduardo <AbisellanE@state.gov>; Brechwald, Matthew J (T) <BrechwaldMJ2@state.gov>; Noonan, Michael J <NoonanMJ@state.gov>; Hart, Robert L <HartRL@state.gov>; Kovar, Jeffrey D <KovarJD@state.gov>  
**Cc:** Robbins, Hailey <RobbinsH2@state.gov>; Kaldahl, Ryan M <KaldahlRM@state.gov>; Miller, Michael F <MillerMF@state.gov>; Windecker, Melissa A <WindeckerMA@state.gov>; PM-CPA <PM-CPA@state.gov>; Betts, Timothy A <BettsTA@state.gov>  
**Subject:** RE: DRAFT Note

Dear all

Attaching the latest version of the note to S [REDACTED]  
[REDACTED]

DDTC – [REDACTED]

Thanks,

Josh

SENSITIVE BUT UNCLASSIFIED

**From:** Paul, Joshua M  
**Sent:** Friday, December 20, 2019 10:36 AM  
**To:** Goulding, Tamara D <GouldingTD@state.gov>; Abisellan, Eduardo <AbisellanE@state.gov>; Brechwald, Matthew J (T) <BrechwaldMJ2@state.gov>; Noonan, Michael J <NoonanMJ@state.gov>; Hart, Robert L <HartRL@state.gov>; Kovar, Jeffrey D <KovarJD@state.gov>  
**Cc:** Robbins, Hailey <RobbinsH2@state.gov>; Kaldahl, Ryan M <KaldahlRM@state.gov>; Miller, Michael F <MillerMF@state.gov>; Windecker, Melissa A <WindeckerMA@state.gov>; PM-CPA <PM-CPA@state.gov>  
**Subject:** DRAFT Note

Dear all,

Subsequent to a 0930 meeting between T, H and PM I am attaching a draft Note to S. For your awareness, this is not yet ready for clearance, [REDACTED]

[REDACTED] But in the meantime please make any technical corrections so this is ready to go if needed.

Thanks,

Josh

---

**Josh Paul**

Director, Congressional & Public Affairs  
Bureau of Political-Military Affairs (PM/CPA)  
U.S. Department of State

☎ Phone: 202.647.7878 | ① BlackBerry: [REDACTED] 📠 Fax: 202.647.4055

✉ e-mail: [PaulJM@State.Gov](mailto:PaulJM@State.Gov) | 🌐 Web: [www.state.gov/t/pm/](http://www.state.gov/t/pm/)

🐦 <http://twitter.com/StateDeptPM>

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Message

**From:** PM-Staffers Mailbox [PM-StaffersMailbox@state.gov]  
**Sent:** 12/23/2019 3:07:14 PM  
**To:** Cooper, R. Clarke [CooperRC@state.gov]  
**CC:** Windecker, Melissa A [WindeckerMA@state.gov]; Paul, Joshua M [PaulJM@state.gov]; PM-CPA [PM-CPA@state.gov]; Heidema, Sarah J [HeidemaSJ@state.gov]; PM-Staffers Mailbox [PM-StaffersMailbox@state.gov]  
**Subject:** For Cooper: Final version of Note  
**Attachments:** Menendez Letter to Pompeo on Hold on Cat I-III Transfers.pdf; 02-22-19 Menendez Letter on Hold on CAT I-III Transfer.pdf; Note to S on Cats 1-3 v1.4 Ford Edits rk cb (002).docx  
**Importance:** High

Dear Sir,

Please see the attached Note to S for your review and clearance.

All the Best,

Janet Michele Alexander  
Staff Assistant  
Bureau of Political Military-Affairs  
PM/FO SharePoint  
2201 C Street, NW, Room 6312B  
202-647-8089  
AlexanderJM@state.gov

SENSITIVE BUT UNCLASSIFIED

**From:** Betts, Timothy A <BettsTA@state.gov>  
**Sent:** Monday, December 23, 2019 10:03 AM  
**To:** Paul, Joshua M <PaulJM@state.gov>; Windecker, Melissa A <WindeckerMA@state.gov>  
**Cc:** PM-Staffers Mailbox <PM-StaffersMailbox@state.gov>; PM-CPA <PM-CPA@state.gov>; Heidema, Sarah J <HeidemaSJ@state.gov>  
**Subject:** FW: Final version of Note

[REDACTED] Thanks.

*Timothy A. Betts*  
Principal Deputy Assistant Secretary  
Bureau of Political-Military Affairs  
1 (202) 647-9023

SENSITIVE BUT UNCLASSIFIED

**From:** Paul, Joshua M <PaulJM@state.gov>  
**Sent:** Monday, December 23, 2019 9:50 AM  
**To:** Betts, Timothy A <BettsTA@state.gov>; Windecker, Melissa A <WindeckerMA@state.gov>  
**Cc:** PM-Staffers Mailbox <PM-StaffersMailbox@state.gov>; PM-CPA <PM-CPA@state.gov>; Heidema, Sarah J <HeidemaSJ@state.gov>  
**Subject:** Final version of Note

Attaching the final version of the Note [REDACTED] Over to the FO.

---

**Josh Paul**

Director, Congressional & Public Affairs  
Bureau of Political-Military Affairs (PM/CPA)  
U.S. Department of State

☎ Phone: 202.647.7878 | ① BlackBerry: [REDACTED] 📠 Fax: 202.647.4055

✉ e-mail: [PaulJM@State.Gov](mailto:PaulJM@State.Gov) | 🖨 Web: [www.state.gov/t/pm/](http://www.state.gov/t/pm/)

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# United States Senate

COMMITTEE ON FOREIGN RELATIONS

WASHINGTON, DC 20510-6225

February 22, 2019

The Honorable Mike Pompeo  
 Secretary of State  
 U.S. Department of State  
 2201 C Street, N.W.  
 Washington, D.C. 20520

Dear Secretary Pompeo:

On February 4, 2019, I received a congressional notification from the Department for a proposal to transfer responsibility for the export control of firearms and ammunition from the United States Munitions list (USML) to the Commerce Control List (CCL). I write to inform you that I am placing a hold on the congressional notification, pursuant to the authority of Section 38(f) of the Arms Export Control Act (AECA).

I am deeply concerned about this proposed transfer. As you no doubt are aware, firearms and ammunition – especially those derived from military models and widely used by military and security services – are uniquely dangerous. They are easily modified, diverted, and proliferated, and are the primary means of injury, death, and destruction in civil and military conflicts throughout the world. As such, they should be subject to more, not less, rigorous export controls and oversight.

Combat rifles, including those commonly known as “sniper rifles,” should not be removed from the USML, nor should rifles of any type that are U.S. military-standard 5.56 (and especially .50 caliber). Semi-automatic firearms should also not be removed, and neither should related equipment, ammunition, or associated manufacturing equipment, technology, or technical data.

Consequently, my hold will remain in place until such time as the issues identified below are sufficiently addressed.

## 1) Removal of Firearms Exports from Congressional Information and Review

The AECA enables congressional review of exports of lethal weapons to ensure that they comport with U.S. foreign policy interests. Congress took action in 2002 to ensure that the sale and export of these weapons would receive stringent oversight, including by amending the AECA to set a lower reporting threshold (from \$14 million to \$1 million) specifically for firearms on the USML. Moving such firearms from the USML to the CCL would directly

contradict congressional intent and effectively eliminate congressional oversight and potential disapproval of exports of these weapons. Congressional oversight must be retained.

## 2) Proliferation of 3D Gun Printing Technical Information

There is a serious risk that this transfer will open the floodgates of information for the 3D printing of nearly-undetectable firearms and components by foreign persons and terrorists that intend to harm U.S. citizens and interests. The Department of Commerce claims that it cannot, by its own regulations, prevent the publication, including on the Internet for global consumption, of technical information and blueprint files that would enable this 3D production, if such information has once been published, even illegally. This is outrageous and simply unacceptable given the dangers it poses to U.S. citizens and interests.

Moreover, it may also be at variance with recent law. Section 1758 of the Export Control Reform Act of 2018 authorizes the Secretary of Commerce to control “emerging and foundational technologies” that (A) are essential to the national security of the United States; and (B) are not critical technologies described in clauses (i) through (v) of section 721(a)(6)(A) of the Defense Production Act of 1950. 3D printing has been identified by this Administration as an emerging technology of concern, and the Department of Commerce itself used 3D printing as an example of “emerging technology” in its November 19, 2018 Federal Register notice seeking public comment on what constitutes emerging technologies pursuant to this new statutory charge. Then-Secretary of Defense Mattis twice mentioned the challenges of 3D printing in congressional testimony, and Director of National Intelligence Coats, in his 2018 Worldwide Threat Assessment of the U.S. Intelligence Community, stated that, “[a]dvances in manufacturing, particularly the development of 3D printing, almost certainly will become even more accessible to a variety of state and non-state actors and be used in ways contrary to our interests.”

It would seem axiomatic that the capability to 3D-print lethal weaponry that cannot easily or reliably be detected by metal detectors at airports, schools, governmental or other facilities (including the U.S. Capitol and the Department of State) would qualify as an emerging technology in need of regulatory control. Yet, the Commerce Department has told my staff that the interagency process to identify emerging and foundational technologies to be controlled has not been completed, and is unlikely to be completed for months. By proceeding with the transfer of firearms, including 3D printing technical information, to Commerce, the Administration is acting recklessly and endangering innocent lives. It should go without saying that we collectively need to understand the threat and have a plan to address this issue before making the regulatory change.

Moreover, the Department of Commerce would seem to have adequate additional regulatory authority to control 3D gun printing information, at least temporarily. Commerce can control any item for foreign policy reasons under the miscellaneous category of 0Y521, according to a final rule issued by Commerce in 2012. Preventing foreign terrorists and thugs from acquiring



the means to print undetectable guns to use against U.S. citizens is a sufficient foreign policy justification to control this technology from public release.

Ultimately, the specific provision of the Export Administration Regulations is cited as preventing Commerce from controlling the publication of 3D Printed guns in the longer term needs to be rewritten to permit this control. Until that occurs, or until Commerce determines that such technical information can and will be controlled, this technical information cannot and should not be transferred from USML to the CCL.

I look forward to your prompt response to my concerns.

Sincerely,

A handwritten signature in black ink, reading "Robert Menendez". The signature is fluid and cursive, with a large, stylized "R" and "M".

Robert Menendez  
Ranking Member

CC: The Honorable Wilbur Ross, U.S. Secretary of Commerce

JAMES E. RUSCH, IDAHO, CHAIRMAN

MARCO RUBIO, FLORIDA  
 RON JOHNSON, WISCONSIN  
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## United States Senate

COMMITTEE ON FOREIGN RELATIONS

WASHINGTON, DC 20510-6225

December 10, 2019

The Honorable Mike Pompeo  
 Secretary of State  
 U.S. Department of State  
 2201 C Street, N.W.  
 Washington, D.C.

Dear Secretary Pompeo:

On February 4, 2019, I received congressional notification from the Department, pursuant to the authority of section 38(f) of the Arms Export Control Act (AECA), for the proposed transfer of responsibility for the export control of firearms and ammunition from the United States Munitions list (USML) to the Commerce Control List (CCL). I wrote to inform you on February 22 that I was placing a hold on that congressional notification. On November 12, 2019, the Department submitted a new 38(f) notification in response to a proposed regulatory change by the Department of Commerce. I write to inform you that I am placing a hold on the November 12, 2019 notification for the reasons detailed below.

As you no doubt are aware, firearms and ammunition – especially those derived from military models and widely in-use by military and security services - are uniquely dangerous. They are easily modified, diverted, and proliferated, and are the primary means of injury, death, and destruction in civil and military conflicts throughout the world. As such, they should be subject to more rigorous export controls and oversight, not less.

Combat rifles, including those commonly known as “sniper rifles,” should not be removed from the USML, nor should rifles of any type that are U.S. military-standard 5.56 (and especially .50 caliber). Semi-automatic firearms should also not be removed, and neither should related equipment, ammunition, or associated manufacturing equipment, technology, or technical data.

My hold will remain in place until such time as the issue identified below is sufficiently addressed.

### 1) Removal of Firearms Exports from Congressional Information and Review

The AECA provides for congressional review of exports of lethal weapons to ensure that they comport with U.S. foreign policy interests. As you know, Congress took action in 2002 to ensure that the sale and export of these weapons would receive closer scrutiny and oversight, including by amending the AECA to set a lower congressional reporting threshold (from \$14 million to \$1 million) specifically for firearms on the USML. Moving such firearms from the USML to the CCL would effectively eliminate congressional oversight of exports of these weapons by eliminating this congressional reporting requirement, and would be directly contrary to congressional intent.

To that end, I reiterate my demand from my previous letter: the Senate Foreign Relations and House Foreign Affairs committees must be immediately informed of any proposed license to export firearms formerly controlled on the USML at the appropriate dollar threshold mandated in the Arms Export Control Act. This concern must be satisfactorily addressed before I will lift my hold.

2) Proliferation of 3D Gun Printing Technical Information

In my February letter, I expressed that there is a serious risk that this transfer will open the floodgates of information for the 3D printing of nearly-undetectable firearms and components by foreign persons and terrorists that intend to harm U.S. citizens and interests. The Department of Commerce claimed that it could not, by its own regulations, prevent the publication, including on the Internet for global consumption, of technical information and blueprint files that would enable this 3D production, if such information has once been published, even illegally. I wrote that:

*Ultimately, the specific provision of the Export Administration Regulations that is cited as preventing Commerce from controlling the publication of 3D Printed guns in the longer term needs to be rewritten to permit this control. Until that occurs, or until Commerce determines that such technical information can and will be controlled, this technical information cannot and should not be transferred from USML to the CCL.*

I understand that the Department of Commerce has now decided to alter its regulations to address this concern; technical information related to the manufacture of firearms, to include 3D-printing information, proposed for transfer to the CCL will be prohibited from publication or Internet posting without a license. That does seek to address my previously-expressed concern, and I will not insist on this to lift my hold. However, I note that this improvement could easily be undone through a simple regulatory change in the future that would not even require congressional notification or review; a statutory authority to maintain such licensing, or better yet, an outright prohibition, may be required. Moreover, Commerce must maintain a policy of "presumption of denial" for any license application sought to publish or post such information, and pursue any violations vigorously.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert Menendez". The signature is fluid and cursive, with a large, stylized "R" and "M".

Robert Menendez  
Ranking Member

## Message

**From:** Heidema, Sarah J [HeidemaSJ@state.gov]  
**Sent:** 12/23/2019 4:03:09 PM  
**To:** Betts, Timothy A [BettsTA@state.gov]; Paul, Joshua M [PaulJM@state.gov]; Windecker, Melissa A [WindeckerMA@state.gov]  
**CC:** PM-Staffers Mailbox [PM-StaffersMailbox@state.gov]; PM-CPA [PM-CPA@state.gov]; Miller, Michael F [MillerMF@state.gov]  
**Subject:** RE: Final version of Note  
**Attachments:** Note to S on Cats 1-3 v1.4 Ford Edits rk cb (002) sjh edits.docx

Josh-

Attached are my edits. [REDACTED] Let me know if you have questions.

SENSITIVE BUT UNCLASSIFIED

**From:** Betts, Timothy A <BettsTA@state.gov>  
**Sent:** Monday, December 23, 2019 10:03 AM  
**To:** Paul, Joshua M <PaulJM@state.gov>; Windecker, Melissa A <WindeckerMA@state.gov>  
**Cc:** PM-Staffers Mailbox <PM-StaffersMailbox@state.gov>; PM-CPA <PM-CPA@state.gov>; Heidema, Sarah J <HeidemaSJ@state.gov>  
**Subject:** FW: Final version of Note

[REDACTED] Thanks.

*Timothy A. Betts*

Principal Deputy Assistant Secretary  
 Bureau of Political-Military Affairs  
 1 (202) 647-9023

SENSITIVE BUT UNCLASSIFIED

**From:** Paul, Joshua M <PaulJM@state.gov>  
**Sent:** Monday, December 23, 2019 9:50 AM  
**To:** Betts, Timothy A <BettsTA@state.gov>; Windecker, Melissa A <WindeckerMA@state.gov>  
**Cc:** PM-Staffers Mailbox <PM-StaffersMailbox@state.gov>; PM-CPA <PM-CPA@state.gov>; Heidema, Sarah J <HeidemaSJ@state.gov>  
**Subject:** Final version of Note

Attaching the final version of the Note [REDACTED] Over to the FO.

**Josh Paul**

Director, Congressional & Public Affairs  
 Bureau of Political-Military Affairs (PM/CPA)  
 U.S. Department of State

☎ Phone: 202.647.7878 | ① BlackBerry: [REDACTED] | 📠 Fax: 202.647.4055

✉ e-mail: [PaulJM@State.Gov](mailto:PaulJM@State.Gov) | 🌐 Web: [www.state.gov/t/pm/](http://www.state.gov/t/pm/)

🐦 <http://twitter.com/StateDeptPM>

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## Message

**From:** Paul, Joshua M [PaulJM@state.gov]  
**Sent:** 12/23/2019 5:30:54 PM  
**To:** Heidema, Sarah J [HeidemaSJ@state.gov]; Betts, Timothy A [BettsTA@state.gov]; Windecker, Melissa A [WindeckerMA@state.gov]  
**CC:** PM-Staffers Mailbox [PM-StaffersMailbox@state.gov]; PM-CPA [PM-CPA@state.gov]; Miller, Michael F [Millermf@state.gov]; Kaldahl, RyanM [KaldahlRM@state.gov]; Goulding, Tamara D [GouldingTD@state.gov]; Barz, Chloe O [BarzCO@state.gov]  
**Subject:** RE: Final version of Note  
**Attachments:** Note to S on Cats 1-3 v2.0.docx

SENSITIVE BUT UNCLASSIFIED

**From:** Heidema, Sarah J <HeidemaSJ@state.gov>  
**Sent:** Monday, December 23, 2019 11:03 AM  
**To:** Betts, Timothy A <BettsTA@state.gov>; Paul, Joshua M <PaulJM@state.gov>; Windecker, Melissa A <WindeckerMA@state.gov>  
**Cc:** PM-Staffers Mailbox <PM-StaffersMailbox@state.gov>; PM-CPA <PM-CPA@state.gov>; Miller, Michael F <Millermf@state.gov>  
**Subject:** RE: Final version of Note

Josh-

Attached are my edits. [REDACTED] Let me know if you have questions.

SENSITIVE BUT UNCLASSIFIED

**From:** Betts, Timothy A <BettsTA@state.gov>  
**Sent:** Monday, December 23, 2019 10:03 AM  
**To:** Paul, Joshua M <PaulJM@state.gov>; Windecker, Melissa A <WindeckerMA@state.gov>  
**Cc:** PM-Staffers Mailbox <PM-StaffersMailbox@state.gov>; PM-CPA <PM-CPA@state.gov>; Heidema, Sarah J <HeidemaSJ@state.gov>  
**Subject:** FW: Final version of Note

[REDACTED] Thanks.

*Timothy A. Betts*

Principal Deputy Assistant Secretary  
 Bureau of Political-Military Affairs  
 1 (202) 647-9023

SENSITIVE BUT UNCLASSIFIED

**From:** Paul, Joshua M <PaulJM@state.gov>  
**Sent:** Monday, December 23, 2019 9:50 AM  
**To:** Betts, Timothy A <BettsTA@state.gov>; Windecker, Melissa A <WindeckerMA@state.gov>  
**Cc:** PM-Staffers Mailbox <PM-StaffersMailbox@state.gov>; PM-CPA <PM-CPA@state.gov>; Heidema, Sarah J

<HeidemaSJ@state.gov>

**Subject:** Final version of Note

Attaching the final version of the Note [REDACTED] Over to the FO.

---

**Josh Paul**

Director, Congressional & Public Affairs  
Bureau of Political-Military Affairs (PM/CPA)  
U.S. Department of State

☎ Phone: 202.647.7878 | 📞 BlackBerry: [REDACTED] 📠 Fax: 202.647.4055

✉ e-mail: [PaulJM@State.Gov](mailto:PaulJM@State.Gov) | 🌐 Web: [www.state.gov/t/pm/](http://www.state.gov/t/pm/)

🐦 <http://twitter.com/StateDeptPM>

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Message

**From:** Khawam, Joseph N [KhawamJN@state.gov]  
**Sent:** 12/23/2019 5:59:46 PM  
**To:** Hart, Robert L [HartRL@state.gov]  
**CC:** Heidema, Sarah J [HeidemaSJ@state.gov]  
**Subject:** RE: I-III AM, Tab 3  
**Attachments:** AM for S - USML Cat I-III Final FRN v7.docx

[REDACTED]

[REDACTED]

[REDACTED]

Joseph N. Khawam  
Office of the Legal Adviser (L/PM)

---

**From:** Hart, Robert L <HartRL@state.gov>  
**Sent:** Monday, December 23, 2019 12:32 PM  
**To:** Khawam, Joseph N <KhawamJN@state.gov>  
**Cc:** Heidema, Sarah J <HeidemaSJ@state.gov>  
**Subject:** I-III AM, Tab 3

Hi Joe,

[REDACTED]

Thanks,

Rob Hart  
Chief, Regulatory and Multilateral Affairs Division  
Department of State | Directorate of Defense Trade Controls  
202.736.9221 | [hartrl@state.gov](mailto:hartrl@state.gov)



## Message

**From:** Barz, Chloe O [BarzCO@state.gov]  
**Sent:** 12/23/2019 6:25:38 PM  
**To:** Paul, Joshua M [PaulJM@state.gov]; Heidema, Sarah J [HeidemaSJ@state.gov]; Betts, Timothy A [BettsTA@state.gov]; Windecker, Melissa A [WindeckerMA@state.gov]  
**CC:** PM-Staffers Mailbox [PM-StaffersMailbox@state.gov]; PM-CPA [PM-CPA@state.gov]; Miller, Michael F [MillerMF@state.gov]; Kaldahl, Ryan M [KaldahlRM@state.gov]; Goulding, Tamara D [GouldingTD@state.gov]; Taylor, Mary Elizabeth [TaylorME3@state.gov]  
**Subject:** RE: Final version of Note  
**Attachments:** Note to S on Cats 1-3 v2.0\_MET edits.docx

Please find A/S Taylor's edits attached.

Best,  
 Chloe

---

**From:** Paul, Joshua M <PaulJM@state.gov>  
**Sent:** Monday, December 23, 2019 12:53 PM  
**To:** Barz, Chloe O <BarzCO@state.gov>; Heidema, Sarah J <HeidemaSJ@state.gov>; Betts, Timothy A <BettsTA@state.gov>; Windecker, Melissa A <WindeckerMA@state.gov>  
**Cc:** PM-Staffers Mailbox <PM-StaffersMailbox@state.gov>; PM-CPA <PM-CPA@state.gov>; Miller, Michael F <MillerMF@state.gov>; Kaldahl, Ryan M <KaldahlRM@state.gov>; Goulding, Tamara D <GouldingTD@state.gov>; Taylor, Mary Elizabeth <TaylorME3@state.gov>  
**Subject:** RE: Final version of Note

SENSITIVE BUT UNCLASSIFIED

---

**From:** Barz, Chloe O <BarzCO@state.gov>  
**Sent:** Monday, December 23, 2019 12:47 PM  
**To:** Paul, Joshua M <PaulJM@state.gov>; Heidema, Sarah J <HeidemaSJ@state.gov>; Betts, Timothy A <BettsTA@state.gov>; Windecker, Melissa A <WindeckerMA@state.gov>  
**Cc:** PM-Staffers Mailbox <PM-StaffersMailbox@state.gov>; PM-CPA <PM-CPA@state.gov>; Miller, Michael F <MillerMF@state.gov>; Kaldahl, Ryan M <KaldahlRM@state.gov>; Goulding, Tamara D <GouldingTD@state.gov>; Taylor, Mary Elizabeth <TaylorME3@state.gov>  
**Subject:** Re: Final version of Note

Appreciate the visibility on this Josh.

Please let me know if you have any questions.

Best,  
 Chloe

Get Outlook for iOS

---

**From:** Paul, Joshua M <PaulJM@state.gov>  
**Sent:** Monday, December 23, 2019 12:42:24 PM  
**To:** Barz, Chloe O <BarzCO@state.gov>; Heidema, Sarah J <HeidemaSJ@state.gov>; Betts, Timothy A <BettsTA@state.gov>; Windecker, Melissa A <WindeckerMA@state.gov>  
**Cc:** PM-Staffers Mailbox <PM-StaffersMailbox@state.gov>; PM-CPA <PM-CPA@state.gov>; Miller, Michael F

<MillerMF@state.gov>; Kaldahl, Ryan M <KaldahlRM@state.gov>; Goulding, Tamara D <GouldingTD@state.gov>; Taylor, Mary Elizabeth <TaylorME3@state.gov>

**Subject:** RE: Final version of Note

[REDACTED]

SENSITIVE BUT UNCLASSIFIED

**From:** Barz, Chloe O <BarzCO@state.gov>

**Sent:** Monday, December 23, 2019 12:39 PM

**To:** Paul, Joshua M <PaulJM@state.gov>; Heidema, Sarah J <HeidemaSJ@state.gov>; Betts, Timothy A <BettsTA@state.gov>; Windecker, Melissa A <WindeckerMA@state.gov>

**Cc:** PM-Staffers Mailbox <PM-StaffersMailbox@state.gov>; PM-CPA <PM-CPA@state.gov>; Miller, Michael F <MillerMF@state.gov>; Kaldahl, Ryan M <KaldahlRM@state.gov>; Goulding, Tamara D <GouldingTD@state.gov>; Taylor, Mary Elizabeth <TaylorME3@state.gov>

**Subject:** Re: Final version of Note

Thanks, Josh. [REDACTED]

Best,  
Chloe  
202-251-5773

**From:** Paul, Joshua M <PaulJM@state.gov>

**Sent:** Monday, December 23, 2019 12:30:54 PM

**To:** Heidema, Sarah J <HeidemaSJ@state.gov>; Betts, Timothy A <BettsTA@state.gov>; Windecker, Melissa A <WindeckerMA@state.gov>

**Cc:** PM-Staffers Mailbox <PM-StaffersMailbox@state.gov>; PM-CPA <PM-CPA@state.gov>; Miller, Michael F <MillerMF@state.gov>; Kaldahl, Ryan M <KaldahlRM@state.gov>; Goulding, Tamara D <GouldingTD@state.gov>; Barz, Chloe O <BarzCO@state.gov>

**Subject:** RE: Final version of Note

[REDACTED]

SENSITIVE BUT UNCLASSIFIED

**From:** Heidema, Sarah J <HeidemaSJ@state.gov>

**Sent:** Monday, December 23, 2019 11:03 AM

**To:** Betts, Timothy A <BettsTA@state.gov>; Paul, Joshua M <PaulJM@state.gov>; Windecker, Melissa A <WindeckerMA@state.gov>

**Cc:** PM-Staffers Mailbox <PM-StaffersMailbox@state.gov>; PM-CPA <PM-CPA@state.gov>; Miller, Michael F <MillerMF@state.gov>

**Subject:** RE: Final version of Note

Josh-

Attached are my edits. [REDACTED] Let me know if you have questions.

SENSITIVE BUT UNCLASSIFIED

**From:** Betts, Timothy A <BettsTA@state.gov>  
**Sent:** Monday, December 23, 2019 10:03 AM  
**To:** Paul, Joshua M <PaulJM@state.gov>; Windecker, Melissa A <WindeckerMA@state.gov>  
**Cc:** PM-Staffers Mailbox <PM-StaffersMailbox@state.gov>; PM-CPA <PM-CPA@state.gov>; Heidema, Sarah J <HeidemaSJ@state.gov>  
**Subject:** FW: Final version of Note

[REDACTED] Thanks.

*Timothy A. Betts*

Principal Deputy Assistant Secretary  
Bureau of Political-Military Affairs  
1 (202) 647-9023

SENSITIVE BUT UNCLASSIFIED

**From:** Paul, Joshua M <PaulJM@state.gov>  
**Sent:** Monday, December 23, 2019 9:50 AM  
**To:** Betts, Timothy A <BettsTA@state.gov>; Windecker, Melissa A <WindeckerMA@state.gov>  
**Cc:** PM-Staffers Mailbox <PM-StaffersMailbox@state.gov>; PM-CPA <PM-CPA@state.gov>; Heidema, Sarah J <HeidemaSJ@state.gov>  
**Subject:** Final version of Note

Attaching the final version of the Note [REDACTED] Over to the FO.

---

**Josh Paul**

Director, Congressional & Public Affairs  
Bureau of Political-Military Affairs (PM/CPA)  
U.S. Department of State

☎ Phone: 202.647.7878 | ① BlackBerry: [REDACTED] 📠 Fax: 202.647.4055

✉ e-mail: [PaulJM@State.Gov](mailto:PaulJM@State.Gov) | 🌐 Web: [www.state.gov/t/pm/](http://www.state.gov/t/pm/)

🐦 <http://twitter.com/StateDeptPM>

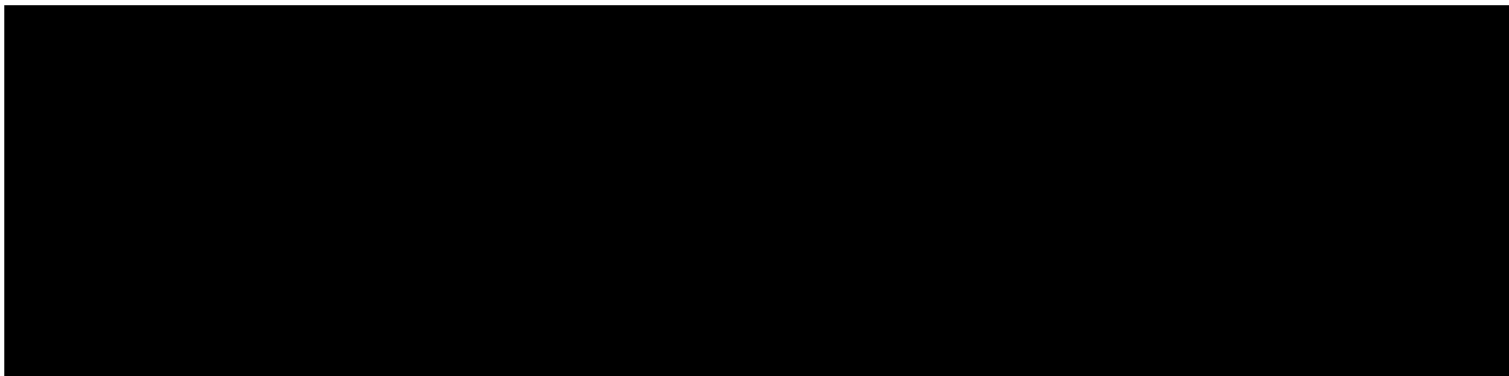
Stay connected with *State.gov*:



SENSITIVE BUT UNCLASSIFIED

Message

**From:** Khawam, Joseph N [KhawamJN@state.gov]  
**Sent:** 12/23/2019 6:43:48 PM  
**To:** Hart, Robert L [HartRL@state.gov]  
**CC:** Heidema, Sarah J [HeidemaSJ@state.gov]; Kovar, Jeffrey D [KovarJD@state.gov]  
**Subject:** RE: I-III AM, Tab 3  
**Attachments:** Tab 3 - Overview of State Department's Efforts to Revise USML Categories I, II, and III.docx



Joseph N. Khawam  
Office of the Legal Adviser (L/PM)

---

**From:** Hart, Robert L <HartRL@state.gov>  
**Sent:** Monday, December 23, 2019 1:17 PM  
**To:** Khawam, Joseph N <KhawamJN@state.gov>  
**Cc:** Heidema, Sarah J <HeidemaSJ@state.gov>  
**Subject:** RE: I-III AM, Tab 3

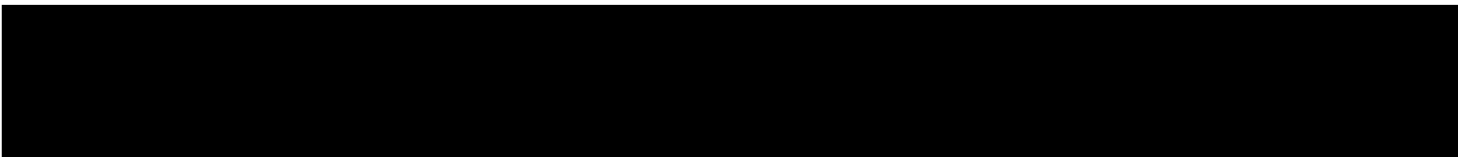
  


Thanks,

Rob Hart  
202.736.9221 | [hartrl@state.gov](mailto:hartrl@state.gov)

---

**From:** Khawam, Joseph N <[KhawamJN@state.gov](mailto:KhawamJN@state.gov)>  
**Sent:** Monday, December 23, 2019 1:00 PM  
**To:** Hart, Robert L <[HartRL@state.gov](mailto:HartRL@state.gov)>  
**Cc:** Heidema, Sarah J <[HeidemaSJ@state.gov](mailto:HeidemaSJ@state.gov)>  
**Subject:** RE: I-III AM, Tab 3



[REDACTED]

[REDACTED]

[REDACTED]

Joseph N. Khawam  
Office of the Legal Adviser (L/PM)

---

**From:** Hart, Robert L <[HartRL@state.gov](mailto:HartRL@state.gov)>  
**Sent:** Monday, December 23, 2019 12:32 PM  
**To:** Khawam, Joseph N <[KhawamJN@state.gov](mailto:KhawamJN@state.gov)>  
**Cc:** Heidema, Sarah J <[HeidemaSJ@state.gov](mailto:HeidemaSJ@state.gov)>  
**Subject:** I-III AM, Tab 3

Hi Joe,

[REDACTED]

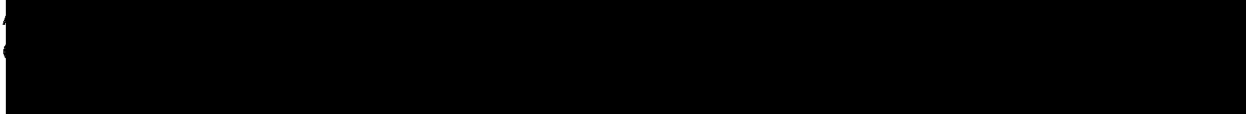
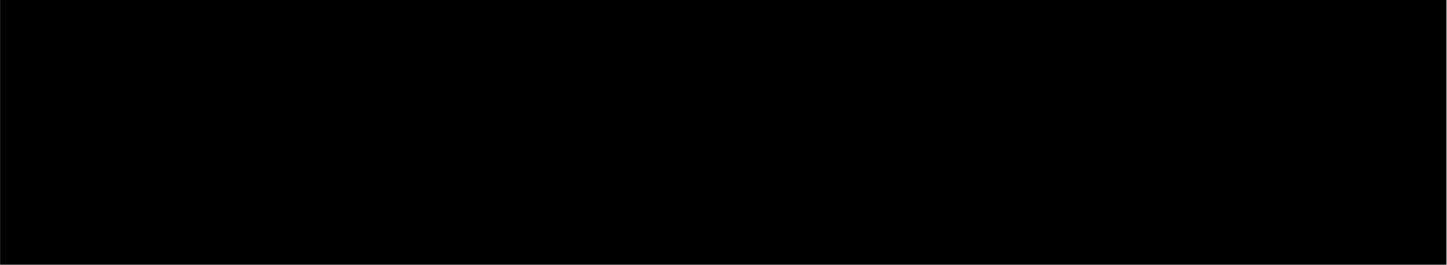
Thanks,

Rob Hart  
Chief, Regulatory and Multilateral Affairs Division  
Department of State | Directorate of Defense Trade Controls  
202.736.9221 | [hartrl@state.gov](mailto:hartrl@state.gov)

Message

**From:** Heidema, Sarah J [HeidemaSJ@state.gov]  
**Sent:** 12/23/2019 7:35:00 PM  
**To:** Paul, Joshua M [PaulJM@state.gov]; Windecker, Melissa A [WindeckerMA@state.gov]; Miller, Michael F [MillerMF@state.gov]  
**CC:** Hart, Robert L [HartRL@state.gov]; Khawam, Joseph N [KhawamJN@state.gov]  
**Subject:** 1-3, what needs to be done to publish the rule  
**Attachments:** AM for S - USML Cat I-III Final FRN v7 (002)

So that we are all on the same page, attached is the most recent draft of an A/M to S for the 1-3 rule that I have. Josh-



Sarah Heidema  
Director  
Office of Defense Trade Controls Policy  
Directorate of Defense Trade Controls  
Department of State  
202-663-2809

Message

---

**From:** Heidema, Sarah J [HeidemaSJ@state.gov]  
**Sent:** 12/19/2019 6:48:33 PM  
**To:** Khawam, Joseph N [KhawamJN@state.gov]; Paul, Joshua M [PaulJM@state.gov]  
**Subject:** AM for S - USML Cat I-III Final FRN v7 (002)  
**Attachments:** AM for S - USML Cat I-III Final FRN v7 (002).docx

I've cut back some language to get this to 2 pages and started to address Joe's comment. Josh will need to finish this job.

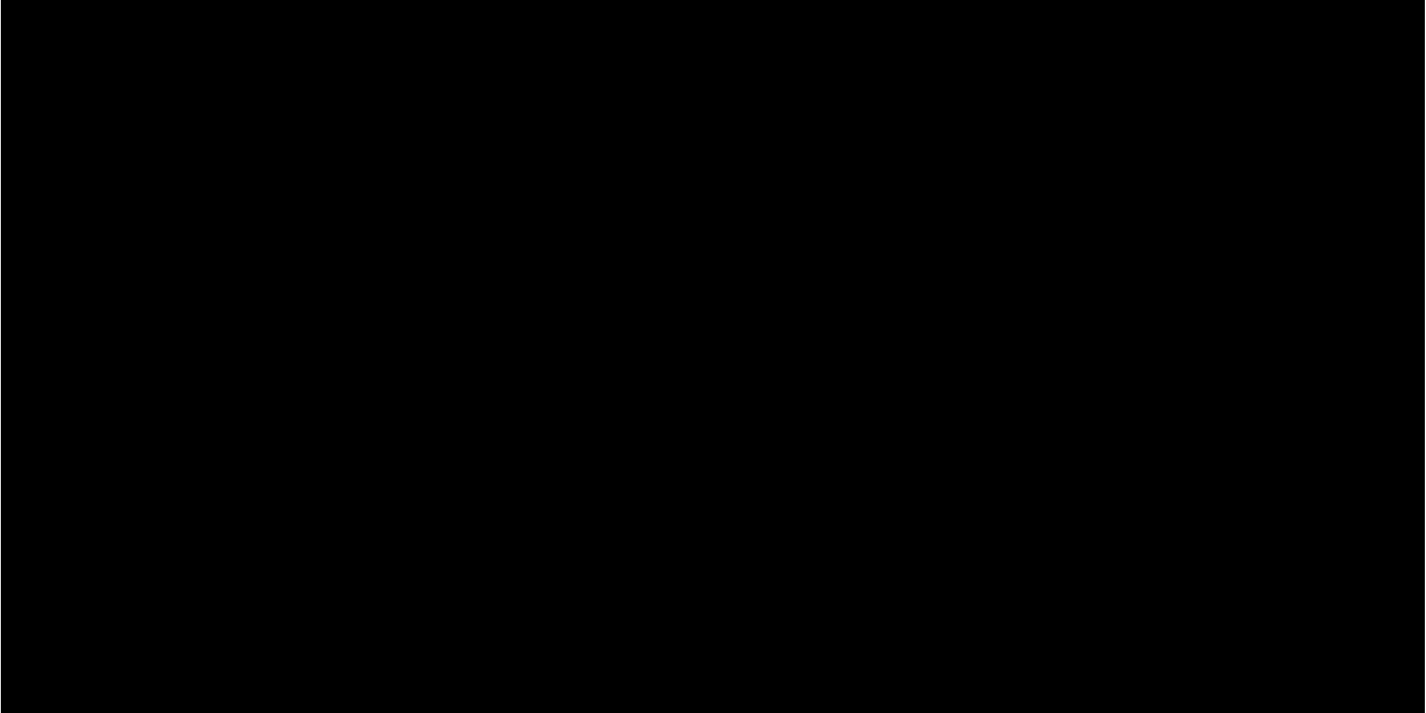

Message

**From:** Paul, Joshua M [PaulJM@state.gov]  
**Sent:** 12/23/2019 7:35:05 PM  
**To:** Cooper, R. Clarke [CooperRC@state.gov]  
**Subject:** RE: Follow-up: Cat 1-3

You hit the nail on the head! Crossing fingers that this version works for everyone.

SENSITIVE BUT UNCLASSIFIED

**From:** Cooper, R. Clarke <CooperRC@state.gov>  
**Sent:** Monday, December 23, 2019 2:32 PM  
**To:** Kaldahl, Ryan M <KaldahlRM@state.gov>; Paul, Joshua M <PaulJM@state.gov>; Goulding, Tamara D <GouldingTD@state.gov>  
**Cc:** Taylor, Mary Elizabeth <TaylorME3@state.gov>; Giannangeli, Giulia R <GiannangeliGR@state.gov>; Barz, Chloe O <BarzCO@state.gov>; Robbins, Hailey <RobbinsH2@state.gov>; Windecker, Melissa A <WindeckerMA@state.gov>  
**Subject:** Follow-up: Cat 1-3



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**Cc:** Taylor, Mary Elizabeth <TaylorME3@state.gov>; Cooper, R. Clarke <CooperRC@state.gov>; Giannangeli, Giulia R <GiannangeliGR@state.gov>; Barz, Chloe O <BarzCO@state.gov>; Robbins, Hailey <RobbinsH2@state.gov>; Windecker, Melissa A <WindeckerMA@state.gov>  
**Subject:** Re: Cat 1-3





Ryan Kaldahl

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**Subject:** RE: Cat 1-3

SENSITIVE BUT UNCLASSIFIED

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**From:** Kaldahl, Ryan M <KaldahlRM@state.gov>

**Sent:** Monday, December 23, 2019 1:43 PM

**To:** Paul, Joshua M <PaulJM@state.gov>; Goulding, Tamara D <GouldingTD@state.gov>

**Cc:** Taylor, Mary Elizabeth <TaylorME3@state.gov>; Cooper, R. Clarke <CooperRC@state.gov>; Giannangeli, Giulia R <GiannangeliGR@state.gov>; Barz, Chloe O <BarzCO@state.gov>; Robbins, Hailey <RobbinsH2@state.gov>

**Subject:** Fwd: Cat 1-3

All, see below that I just received from SFRC minority following the call

Ryan Kaldahl

---

**From:** Keller, Andrew (Foreign Relations) <[Andrew\\_Keller@foreign.senate.gov](mailto:Andrew_Keller@foreign.senate.gov)>  
**Sent:** Monday, December 23, 2019 12:20  
**To:** Kaldahl, Ryan M  
**Cc:** Fite, David; Lewis, Jessica; Arkin, Sarah (Foreign Relations); Giannangeli, Giulia R  
**Subject:** Re: Cat 1-3

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Good speaking with you today and thanks for setting up the call with PM and Commerce.

Thanks and happy holidays,  
Andrew

Sent from my iPhone

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Thanks, David and Andrew. Could the three of us do a 15-min call at 10am EST tomorrow, Monday, December 23?

If so, please provide the best number to reach you at that time and I will build the call at that time.

Ryan Kaldahl  


---

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**Cc:** Kaldahl, Ryan M <[KaldahlRM@state.gov](mailto:KaldahlRM@state.gov)>; Lewis, Jessica <[jessica\\_lewis@foreign.senate.gov](mailto:jessica_lewis@foreign.senate.gov)>; Arkin, Sarah (Foreign Relations) <[Sarah\\_Arkin@foreign.senate.gov](mailto:Sarah_Arkin@foreign.senate.gov)>; Giannangeli, Giulia R <[GiannangeliGR@state.gov](mailto:GiannangeliGR@state.gov)>  
**Subject:** Re: Cat 1-3

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Sent from my iPhone

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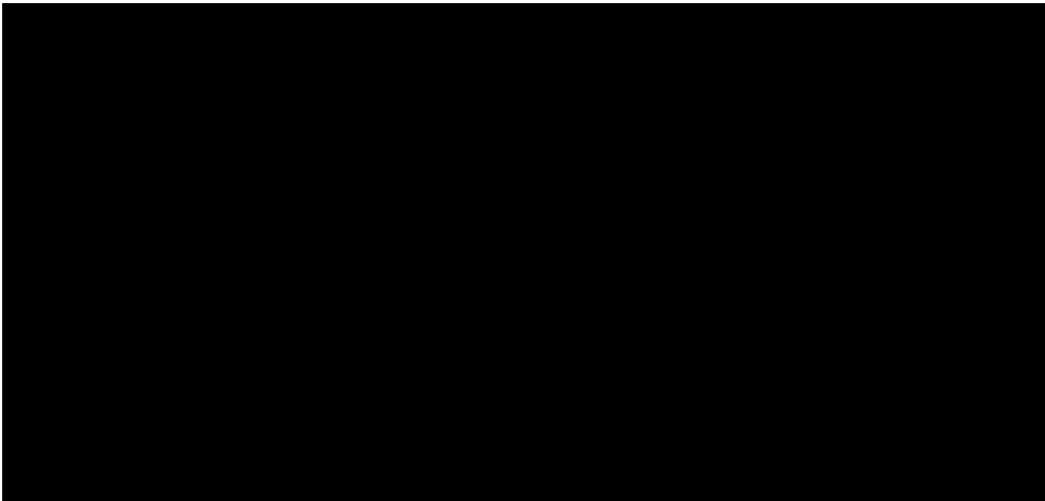
Jessica/Sarah, I wanted to forward this to you as I understand Andrew is out of the office until Jan 2.

Ryan Kaldahl  


---

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**Sent:** Saturday, December 21, 2019 11:29 AM  
**To:** 'Keller, Andrew (Foreign Relations)'  
<[Andrew\\_Keller@foreign.senate.gov](mailto:Andrew_Keller@foreign.senate.gov)>  
**Subject:** Cat 1-3

Hi Andrew, I hope this email finds you well, and let me apologize up front for emailing on a Saturday. I completely understand if you want to respond tomorrow. I am emailing to see if it would be possible for you and I to connect on Cat 1-3 today or tomorrow?





I can elaborate further on the phone at a time of your convenience.

Ryan Kaldahl



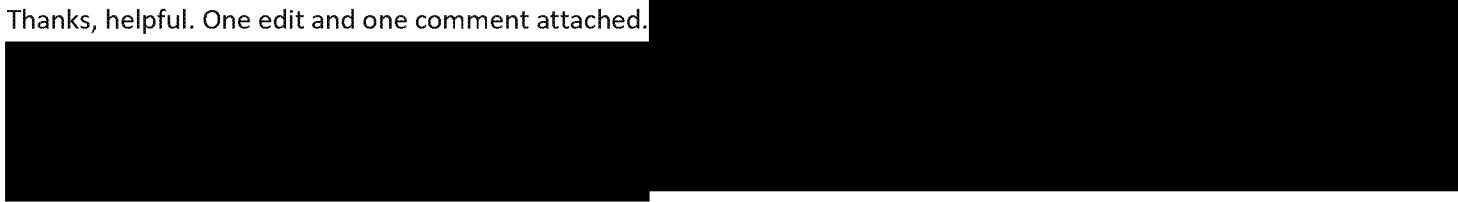
<Menendez Letter to Pompeo on Hold on Cat I-III Transfers.pdf>

Message

---

**From:** Paul, Joshua M [PaulJM@state.gov]  
**Sent:** 12/23/2019 7:43:37 PM  
**To:** Heidema, Sarah J [HeidemaSJ@state.gov]; Windecker, Melissa A [WindeckerMA@state.gov]; Miller, Michael F [MillerMF@state.gov]  
**CC:** Hart, Robert L [HartRL@state.gov]; Khawam, Joseph N [KhawamJN@state.gov]; McKeeby, David I [McKeebyDI@state.gov]; Strike, Andrew P [StrikeAP@state.gov]  
**Subject:** RE: 1-3, what needs to be done to publish the rule  
**Attachments:** Follow-up\_Cat 1-3.msg; AM for S - USML Cat I-III Final FRN v7 (002).docx



Thanks, helpful. One edit and one comment attached.



---

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**Sent:** Monday, December 23, 2019 2:35 PM  
**To:** Paul, Joshua M <PaulJM@state.gov>; Windecker, Melissa A <WindeckerMA@state.gov>; Miller, Michael F <MillerMF@state.gov>  
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**Subject:** 1-3, what needs to be done to publish the rule

So that we are all on the same page, attached is the most recent draft of an A/M to S for the 1-3 rule that I have. Josh-

Sarah Heidema  
Director  
Office of Defense Trade Controls Policy  
Directorate of Defense Trade Controls  
Department of State  
202-663-2809

## Message

**From:** Cooper, R. Clarke [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D42D507BB693406DBC481F8A03E43C7-COOPER, REN]  
**Sent:** 12/23/2019 7:32:27 PM  
**To:** Kaldahl, Ryan M [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=aebf30480c4cd983d013ba95a2bb60-Kaldahl, Ry]; Paul, Joshua M [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=fe0af1773ed642df9120291ea0a8c588-Paul, Joshu]; Goulding, Tamara D [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=19c6a95b3e49427e8f2b1b4b0838c9a2-Darrach, Ta]  
**CC:** Taylor, Mary Elizabeth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d5df40cb6b9548f496b2fb6316c77508-Taylor, Mar]; Giannangeli, Giulia R [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=02fa7b69713d44c79a3c378ddde529b3-Giannangeli]; Barz, Chloe O [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a231ad404241479ea407fd0ee6f827c0-Barz, Chloe]; Robbins, Hailey [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b823bec904e840f2a798914f9eb60401-Robbins, Ha]; Windecker, Melissa A [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=3286ee3bf06a42da8fe9770036d77326-Windecker,]  
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Melissa A <WindeckerMA@state.gov>

**Subject:** Re: Cat 1-3

[REDACTED]

Ryan Kaldahl

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[REDACTED]

[REDACTED]

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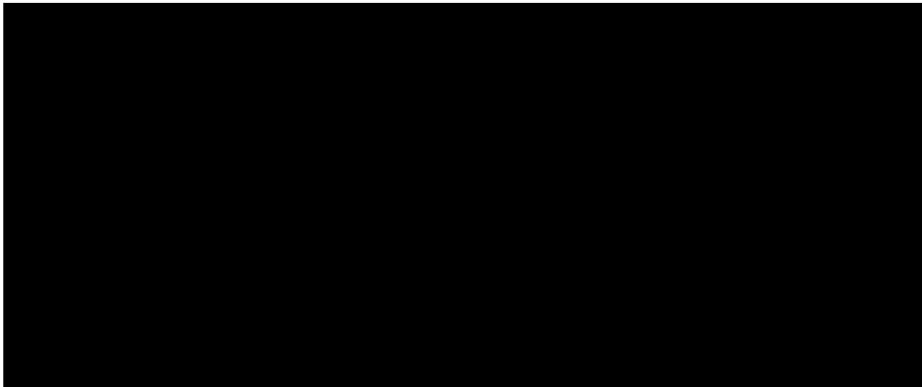
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Ryan Kaldahl



<Menendez Letter to Pompeo on Hold on Cat I-III Transfers.pdf>

JAMES E. RISCH, IDAHO, CHAIRMAN

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 JEFF MERKLEY, OREGON  
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# United States Senate

COMMITTEE ON FOREIGN RELATIONS

WASHINGTON, DC 20510-6225

February 22, 2019

The Honorable Mike Pompeo  
 Secretary of State  
 U.S. Department of State  
 2201 C Street, N.W.  
 Washington, D.C. 20520

Dear Secretary Pompeo:

On February 4, 2019, I received a congressional notification from the Department for a proposal to transfer responsibility for the export control of firearms and ammunition from the United States Munitions list (USML) to the Commerce Control List (CCL). I write to inform you that I am placing a hold on the congressional notification, pursuant to the authority of Section 38(f) of the Arms Export Control Act (AECA).

I am deeply concerned about this proposed transfer. As you no doubt are aware, firearms and ammunition – especially those derived from military models and widely used by military and security services – are uniquely dangerous. They are easily modified, diverted, and proliferated, and are the primary means of injury, death, and destruction in civil and military conflicts throughout the world. As such, they should be subject to more, not less, rigorous export controls and oversight.

Combat rifles, including those commonly known as “sniper rifles,” should not be removed from the USML, nor should rifles of any type that are U.S. military-standard 5.56 (and especially .50 caliber). Semi-automatic firearms should also not be removed, and neither should related equipment, ammunition, or associated manufacturing equipment, technology, or technical data.

Consequently, my hold will remain in place until such time as the issues identified below are sufficiently addressed.

## 1) Removal of Firearms Exports from Congressional Information and Review

The AECA enables congressional review of exports of lethal weapons to ensure that they comport with U.S. foreign policy interests. Congress took action in 2002 to ensure that the sale and export of these weapons would receive stringent oversight, including by amending the AECA to set a lower reporting threshold (from \$14 million to \$1 million) specifically for firearms on the USML. Moving such firearms from the USML to the CCL would directly

contradict congressional intent and effectively eliminate congressional oversight and potential disapproval of exports of these weapons. Congressional oversight must be retained.

## 2) Proliferation of 3D Gun Printing Technical Information

There is a serious risk that this transfer will open the floodgates of information for the 3D printing of nearly-undetectable firearms and components by foreign persons and terrorists that intend to harm U.S. citizens and interests. The Department of Commerce claims that it cannot, by its own regulations, prevent the publication, including on the Internet for global consumption, of technical information and blueprint files that would enable this 3D production, if such information has once been published, even illegally. This is outrageous and simply unacceptable given the dangers it poses to U.S. citizens and interests.

Moreover, it may also be at variance with recent law. Section 1758 of the Export Control Reform Act of 2018 authorizes the Secretary of Commerce to control “emerging and foundational technologies” that (A) are essential to the national security of the United States; and (B) are not critical technologies described in clauses (i) through (v) of section 721(a)(6)(A) of the Defense Production Act of 1950. 3D printing has been identified by this Administration as an emerging technology of concern, and the Department of Commerce itself used 3D printing as an example of “emerging technology” in its November 19, 2018 Federal Register notice seeking public comment on what constitutes emerging technologies pursuant to this new statutory charge. Then-Secretary of Defense Mattis twice mentioned the challenges of 3D printing in congressional testimony, and Director of National Intelligence Coats, in his 2018 Worldwide Threat Assessment of the U.S. Intelligence Community, stated that, “[a]dvances in manufacturing, particularly the development of 3D printing, almost certainly will become even more accessible to a variety of state and non-state actors and be used in ways contrary to our interests.”

It would seem axiomatic that the capability to 3D-print lethal weaponry that cannot easily or reliably be detected by metal detectors at airports, schools, governmental or other facilities (including the U.S. Capitol and the Department of State) would qualify as an emerging technology in need of regulatory control. Yet, the Commerce Department has told my staff that the interagency process to identify emerging and foundational technologies to be controlled has not been completed, and is unlikely to be completed for months. By proceeding with the transfer of firearms, including 3D printing technical information, to Commerce, the Administration is acting recklessly and endangering innocent lives. It should go without saying that we collectively need to understand the threat and have a plan to address this issue before making the regulatory change.

Moreover, the Department of Commerce would seem to have adequate additional regulatory authority to control 3D gun printing information, at least temporarily. Commerce can control any item for foreign policy reasons under the miscellaneous category of 0Y521, according to a final rule issued by Commerce in 2012. Preventing foreign terrorists and thugs from acquiring

the means to print undetectable guns to use against U.S. citizens is a sufficient foreign policy justification to control this technology from public release.

Ultimately, the specific provision of the Export Administration Regulations is cited as preventing Commerce from controlling the publication of 3D Printed guns in the longer term needs to be rewritten to permit this control. Until that occurs, or until Commerce determines that such technical information can and will be controlled, this technical information cannot and should not be transferred from USML to the CCL.

I look forward to your prompt response to my concerns.

Sincerely,

A handwritten signature in black ink, reading "Robert Menendez". The signature is fluid and cursive, with a large, stylized "R" and "M".

Robert Menendez  
Ranking Member

CC: The Honorable Wilbur Ross, U.S. Secretary of Commerce

JAMES E. RUSCH, IDAHO, CHAIRMAN

MARCO RUBIO, FLORIDA  
 RON JOHNSON, WISCONSIN  
 CORY GARDNER, COLORADO  
 MITT ROMNEY, UTAH  
 LINDSEY GRAHAM, SOUTH CAROLINA  
 JOHNNY ISAKSON, GEORGIA  
 JOHN SARRASSO, WYOMING  
 ROB PORTMAN, OHIO  
 RAND PAUL, KENTUCKY  
 TODD YOUNG, INDIANA  
 TED CRUZ, TEXAS

ROBERT MENENDEZ, NEW JERSEY  
 BENJAMIN L. CARDIN, MARYLAND  
 JEANNE SHAHEEN, NEW HAMPSHIRE  
 CHRISTOPHER A. COONS, DELAWARE  
 TOM UDALL, NEW MEXICO  
 CHRISTOPHER MURPHY, CONNECTICUT  
 TIM Kaine, VIRGINIA  
 EDWARD J. MARKEY, MASSACHUSETTS  
 JEFF MERKLEY, OREGON  
 GARY A. BOOKER, NEW JERSEY

## United States Senate

COMMITTEE ON FOREIGN RELATIONS

WASHINGTON, DC 20510-6225

December 10, 2019

The Honorable Mike Pompeo  
 Secretary of State  
 U.S. Department of State  
 2201 C Street, N.W.  
 Washington, D.C.

Dear Secretary Pompeo:

On February 4, 2019, I received congressional notification from the Department, pursuant to the authority of section 38(f) of the Arms Export Control Act (AECA), for the proposed transfer of responsibility for the export control of firearms and ammunition from the United States Munitions list (USML) to the Commerce Control List (CCL). I wrote to inform you on February 22 that I was placing a hold on that congressional notification. On November 12, 2019, the Department submitted a new 38(f) notification in response to a proposed regulatory change by the Department of Commerce. I write to inform you that I am placing a hold on the November 12, 2019 notification for the reasons detailed below.

As you no doubt are aware, firearms and ammunition – especially those derived from military models and widely in-use by military and security services - are uniquely dangerous. They are easily modified, diverted, and proliferated, and are the primary means of injury, death, and destruction in civil and military conflicts throughout the world. As such, they should be subject to more rigorous export controls and oversight, not less.

Combat rifles, including those commonly known as “sniper rifles,” should not be removed from the USML, nor should rifles of any type that are U.S. military-standard 5.56 (and especially .50 caliber). Semi-automatic firearms should also not be removed, and neither should related equipment, ammunition, or associated manufacturing equipment, technology, or technical data.

My hold will remain in place until such time as the issue identified below is sufficiently addressed.

### 1) Removal of Firearms Exports from Congressional Information and Review

The AECA provides for congressional review of exports of lethal weapons to ensure that they comport with U.S. foreign policy interests. As you know, Congress took action in 2002 to ensure that the sale and export of these weapons would receive closer scrutiny and oversight, including by amending the AECA to set a lower congressional reporting threshold (from \$14 million to \$1 million) specifically for firearms on the USML. Moving such firearms from the USML to the CCL would effectively eliminate congressional oversight of exports of these weapons by eliminating this congressional reporting requirement, and would be directly contrary to congressional intent.



To that end, I reiterate my demand from my previous letter: the Senate Foreign Relations and House Foreign Affairs committees must be immediately informed of any proposed license to export firearms formerly controlled on the USML at the appropriate dollar threshold mandated in the Arms Export Control Act. This concern must be satisfactorily addressed before I will lift my hold.

2) Proliferation of 3D Gun Printing Technical Information

In my February letter, I expressed that there is a serious risk that this transfer will open the floodgates of information for the 3D printing of nearly-undetectable firearms and components by foreign persons and terrorists that intend to harm U.S. citizens and interests. The Department of Commerce claimed that it could not, by its own regulations, prevent the publication, including on the Internet for global consumption, of technical information and blueprint files that would enable this 3D production, if such information has once been published, even illegally. I wrote that:

*Ultimately, the specific provision of the Export Administration Regulations that is cited as preventing Commerce from controlling the publication of 3D Printed guns in the longer term needs to be rewritten to permit this control. Until that occurs, or until Commerce determines that such technical information can and will be controlled, this technical information cannot and should not be transferred from USML to the CCL.*

I understand that the Department of Commerce has now decided to alter its regulations to address this concern; technical information related to the manufacture of firearms, to include 3D-printing information, proposed for transfer to the CCL will be prohibited from publication or Internet posting without a license. That does seek to address my previously-expressed concern, and I will not insist on this to lift my hold. However, I note that this improvement could easily be undone through a simple regulatory change in the future that would not even require congressional notification or review; a statutory authority to maintain such licensing, or better yet, an outright prohibition, may be required. Moreover, Commerce must maintain a policy of "presumption of denial" for any license application sought to publish or post such information, and pursue any violations vigorously.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert Menendez". The signature is fluid and cursive, with a large, stylized "R" and "M".

Robert Menendez  
Ranking Member

Message

**From:** Khawam, Joseph N [KhawamJN@state.gov]  
**Sent:** 12/23/2019 9:02:44 PM  
**To:** Kovar, Jeffrey D [KovarJD@state.gov]  
**Subject:** RE: I-III AM, Tab 3

[REDACTED]

Joseph N. Khawam  
Office of the Legal Adviser (L/PM)

---

**From:** Kovar, Jeffrey D <KovarJD@state.gov>  
**Sent:** Monday, December 23, 2019 4:00 PM  
**To:** Khawam, Joseph N <KhawamJN@state.gov>  
**Subject:** RE: I-III AM, Tab 3

[REDACTED]

---

**From:** Khawam, Joseph N <KhawamJN@state.gov>  
**Sent:** Monday, December 23, 2019 1:44 PM  
**To:** Hart, Robert L <HartRL@state.gov>  
**Cc:** Heidema, Sarah J <HeidemaSJ@state.gov>; Kovar, Jeffrey D <KovarJD@state.gov>  
**Subject:** RE: I-III AM, Tab 3

[REDACTED]

[REDACTED]

Joseph N. Khawam  
Office of the Legal Adviser (L/PM)

---

**From:** Hart, Robert L <HartRL@state.gov>  
**Sent:** Monday, December 23, 2019 1:17 PM  
**To:** Khawam, Joseph N <KhawamJN@state.gov>  
**Cc:** Heidema, Sarah J <HeidemaSJ@state.gov>  
**Subject:** RE: I-III AM, Tab 3

[REDACTED]



[REDACTED]

Thanks,

Rob Hart  
202.736.9221 | [hartrl@state.gov](mailto:hartrl@state.gov)

---

**From:** Khawam, Joseph N <[KhawamJN@state.gov](mailto:KhawamJN@state.gov)>  
**Sent:** Monday, December 23, 2019 1:00 PM  
**To:** Hart, Robert L <[HartRL@state.gov](mailto:HartRL@state.gov)>  
**Cc:** Heidema, Sarah J <[HeidemaSJ@state.gov](mailto:HeidemaSJ@state.gov)>  
**Subject:** RE: I-III AM, Tab 3

[REDACTED]

[REDACTED]

[REDACTED]

Joseph N. Khawam  
Office of the Legal Adviser (L/PM)

---

**From:** Hart, Robert L <[HartRL@state.gov](mailto:HartRL@state.gov)>  
**Sent:** Monday, December 23, 2019 12:32 PM  
**To:** Khawam, Joseph N <[KhawamJN@state.gov](mailto:KhawamJN@state.gov)>  
**Cc:** Heidema, Sarah J <[HeidemaSJ@state.gov](mailto:HeidemaSJ@state.gov)>  
**Subject:** I-III AM, Tab 3

[REDACTED]

Hi Joe,

[REDACTED]

Thanks,

Rob Hart  
Chief, Regulatory and Multilateral Affairs Division  
Department of State | Directorate of Defense Trade Controls  
202.736.9221 | [hartrl@state.gov](mailto:hartrl@state.gov)

Message

**From:** Cooper, R. Clarke [CooperRC@state.gov]  
**Sent:** 12/23/2019 9:06:53 PM  
**To:** PM-Staffers Mailbox [PM-StaffersMailbox@state.gov]  
**CC:** Windecker, Melissa A [WindeckerMA@state.gov]; Paul, Joshua M [PaulJM@state.gov]  
**Subject:** Follow-up: For Cooper: Follow-up: Cat 1-3  
**Attachments:** 20191223 Note to S on Cats 1-3 v2.1 RCC.docx

Clear the attached version of the S note.

**R. Clarke Cooper**

Assistant Secretary of State  
Political Military Affairs Bureau

  
[CooperRC@state.gov](mailto:CooperRC@state.gov)

ENGAGE. ENHANCE. ENABLE.

SENSITIVE BUT UNCLASSIFIED

**From:** PM-Staffers Mailbox <PM-StaffersMailbox@state.gov>  
**Sent:** Monday, December 23, 2019 3:29 PM  
**To:** Cooper, R. Clarke <CooperRC@state.gov>  
**Cc:** PM-Staffers Mailbox <PM-StaffersMailbox@state.gov>; Windecker, Melissa A <WindeckerMA@state.gov>  
**Subject:** For Cooper: Follow-up: Cat 1-3

Dear Sir,

Sending this to you for one more final review per the below.

All the Best,

Janet Michele Alexander  
Staff Assistant  
Bureau of Political Military-Affairs  
[PM/FO SharePoint](#)  
2201 C Street, NW, Room 6312B  
202-647-8089  
[AlexanderJM@state.gov](mailto:AlexanderJM@state.gov)

SENSITIVE BUT UNCLASSIFIED

**From:** Paul, Joshua M <PaulJM@state.gov>  
**Sent:** Monday, December 23, 2019 3:24 PM  
**To:** PM-Staffers Mailbox <PM-StaffersMailbox@state.gov>; Windecker, Melissa A <WindeckerMA@state.gov>; Betts, Timothy A <BettsTA@state.gov>  
**Cc:** PM-CPA <PM-CPA@state.gov>  
**Subject:** FW: Follow-up: Cat 1-3

Staffers,

Attaching the final version of the note as cleared by H A/S and A/S Cooper (i.e. incorporating Cooper's language below) for your ease of final processing and submission. Recommend doing a final touch with Cooper to confirm he's good with this version. Tabs also attached.

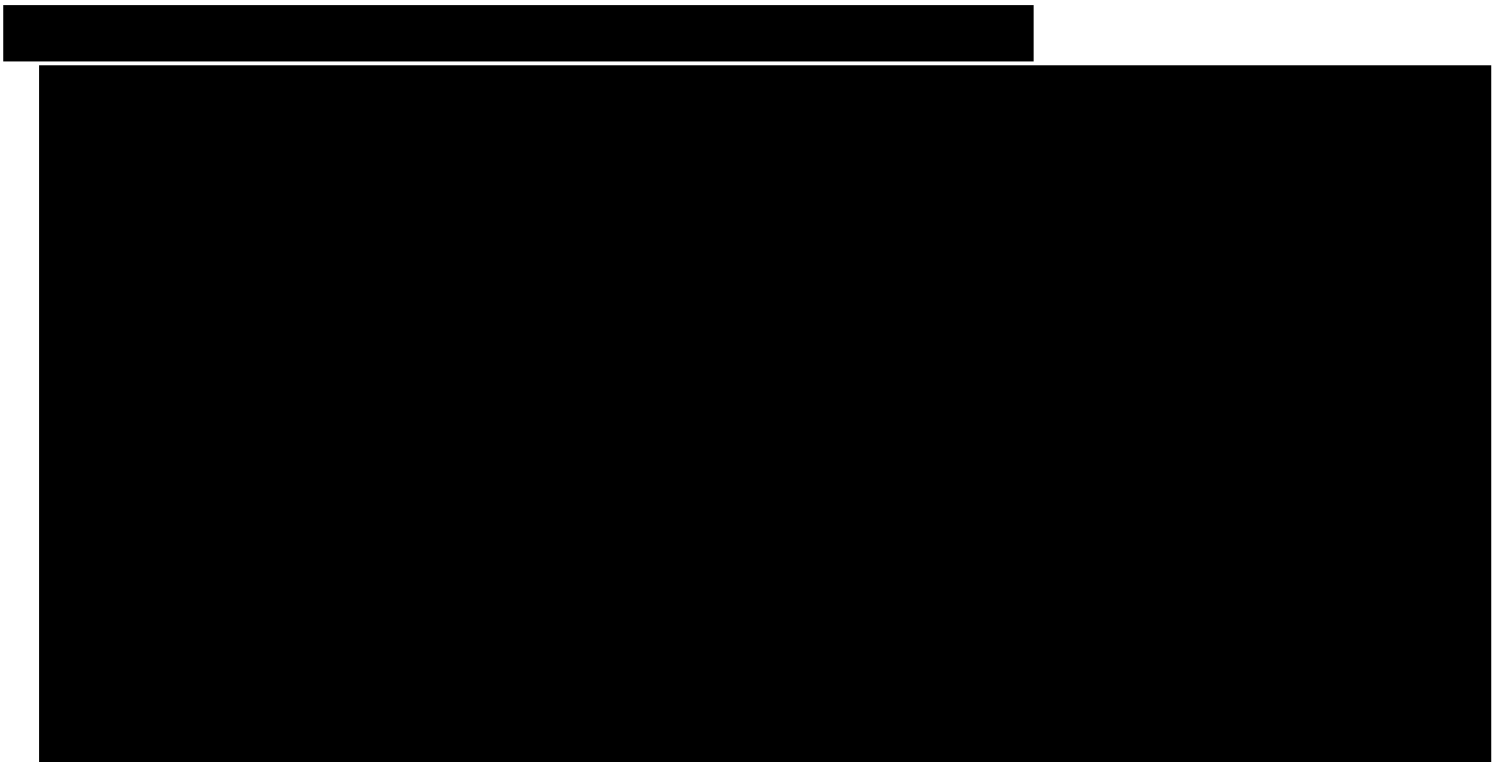
SENSITIVE BUT UNCLASSIFIED

**From:** Taylor, Mary Elizabeth <TaylorME3@state.gov>  
**Sent:** Monday, December 23, 2019 3:20 PM  
**To:** Cooper, R. Clarke <CooperRC@state.gov>; Kaldahl, Ryan M <KaldahlRM@state.gov>; Paul, Joshua M <PaulJM@state.gov>; Goulding, Tamara D <GouldingTD@state.gov>  
**Cc:** Giannangeli, Giulia R <GiannangeliGR@state.gov>; Barz, Chloe O <BarzCO@state.gov>; Robbins, Hailey <RobbinsH2@state.gov>; Windecker, Melissa A <WindeckerMA@state.gov>  
**Subject:** RE: Follow-up: Cat 1-3

ok

SENSITIVE BUT UNCLASSIFIED

**From:** Cooper, R. Clarke <CooperRC@state.gov>  
**Sent:** Monday, December 23, 2019 2:32 PM  
**To:** Kaldahl, Ryan M <KaldahlRM@state.gov>; Paul, Joshua M <PaulJM@state.gov>; Goulding, Tamara D <GouldingTD@state.gov>  
**Cc:** Taylor, Mary Elizabeth <TaylorME3@state.gov>; Giannangeli, Giulia R <GiannangeliGR@state.gov>; Barz, Chloe O <BarzCO@state.gov>; Robbins, Hailey <RobbinsH2@state.gov>; Windecker, Melissa A <WindeckerMA@state.gov>  
**Subject:** Follow-up: Cat 1-3



SENSITIVE BUT UNCLASSIFIED

**From:** Kaldahl, Ryan M <KaldahlRM@state.gov>  
**Sent:** Monday, December 23, 2019 2:18 PM

**To:** Paul, Joshua M <PaulJM@state.gov>; Goulding, Tamara D <GouldingTD@state.gov>  
**Cc:** Taylor, Mary Elizabeth <TaylorME3@state.gov>; Cooper, R. Clarke <CooperRC@state.gov>; Giannangeli, Giulia R <GiannangeliGR@state.gov>; Barz, Chloe O <BarzCO@state.gov>; Robbins, Hailey <RobbinsH2@state.gov>; Windecker, Melissa A <WindeckerMA@state.gov>  
**Subject:** Re: Cat 1-3

[REDACTED] Thank you

Ryan Kaldahl

---

**From:** Paul, Joshua M <PaulJM@state.gov>  
**Sent:** Monday, December 23, 2019 12:49:14 PM  
**To:** Kaldahl, Ryan M <KaldahlRM@state.gov>; Goulding, Tamara D <GouldingTD@state.gov>  
**Cc:** Taylor, Mary Elizabeth <TaylorME3@state.gov>; Cooper, R. Clarke <CooperRC@state.gov>; Giannangeli, Giulia R <GiannangeliGR@state.gov>; Barz, Chloe O <BarzCO@state.gov>; Robbins, Hailey <RobbinsH2@state.gov>; Windecker, Melissa A <WindeckerMA@state.gov>  
**Subject:** RE: Cat 1-3

[REDACTED]

[REDACTED]

SENSITIVE BUT UNCLASSIFIED

---

**From:** Kaldahl, Ryan M <KaldahlRM@state.gov>  
**Sent:** Monday, December 23, 2019 1:43 PM  
**To:** Paul, Joshua M <PaulJM@state.gov>; Goulding, Tamara D <GouldingTD@state.gov>  
**Cc:** Taylor, Mary Elizabeth <TaylorME3@state.gov>; Cooper, R. Clarke <CooperRC@state.gov>; Giannangeli, Giulia R <GiannangeliGR@state.gov>; Barz, Chloe O <BarzCO@state.gov>; Robbins, Hailey <RobbinsH2@state.gov>  
**Subject:** Fwd: Cat 1-3

All, see below that I just received from SFRC minority following the call. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Ryan Kaldahl

---

**From:** Keller, Andrew (Foreign Relations) <[Andrew\\_Keller@foreign.senate.gov](mailto:Andrew_Keller@foreign.senate.gov)>  
**Sent:** Monday, December 23, 2019 12:20  
**To:** Kaldahl, Ryan M  
**Cc:** Fite, David; Lewis, Jessica; Arkin, Sarah (Foreign Relations); Giannangeli, Giulia R  
**Subject:** Re: Cat 1-3

Hi Ryan,

Good speaking with you today and thanks for setting up the call with PM and Commerce.

[REDACTED]

Thanks and happy holidays,  
Andrew

Sent from my iPhone

On Dec 22, 2019, at 1:52 PM, Kaldahl, Ryan M <[KaldahlRM@state.gov](mailto:KaldahlRM@state.gov)> wrote:

Thanks, David and Andrew. Could the three of us do a 15-min call at 10am EST tomorrow, Monday, December 23?

If so, please provide the best number to reach you at that time and I will build the call at that time.

Ryan Kaldahl  
[REDACTED]

---

**From:** Fite, David (Foreign Relations) <[David\\_Fite@foreign.senate.gov](mailto:David_Fite@foreign.senate.gov)>  
**Sent:** Saturday, December 21, 2019 8:18 PM

**To:** Keller, Andrew (Foreign Relations) <Andrew\_Keller@foreign.senate.gov>

**Cc:** Kaldahl, Ryan M <KaldahlRM@state.gov>; Lewis, Jessica <jessica\_lewis@foreign.senate.gov>; Arkin, Sarah (Foreign Relations) <Sarah\_Arkin@foreign.senate.gov>; Giannangeli, Giulia R <GiannangeliGR@state.gov>

**Subject:** Re: Cat 1-3

With enough notice, I should be able to do Monday, Thursday or Friday...

Sent from my iPhone

On Dec 21, 2019, at 12:32 PM, Keller, Andrew (Foreign Relations) <Andrew\_Keller@foreign.senate.gov> wrote:

+ David Fite

Hi Ryan,


I'm unfortunately booked today and traveling tomorrow. David Fite is the lead on this issue. I could join a call on Monday or another time next week if he is available.

Best,  
Andrew

Sent from my iPhone

On Dec 21, 2019, at 11:32 AM, Kaldahl, Ryan M <KaldahlRM@state.gov> wrote:

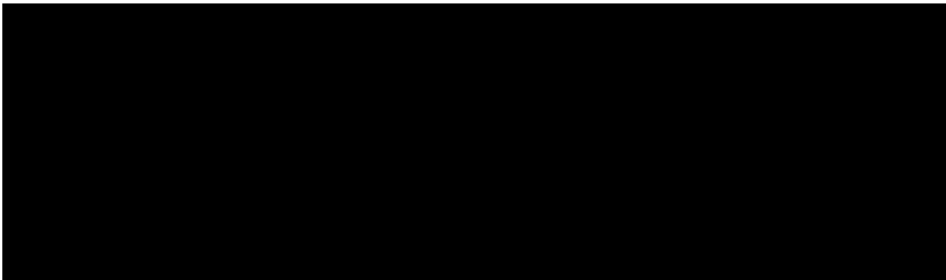
Jessica/Sarah, I wanted to forward this to you as I understand Andrew is out of the office until Jan 2.

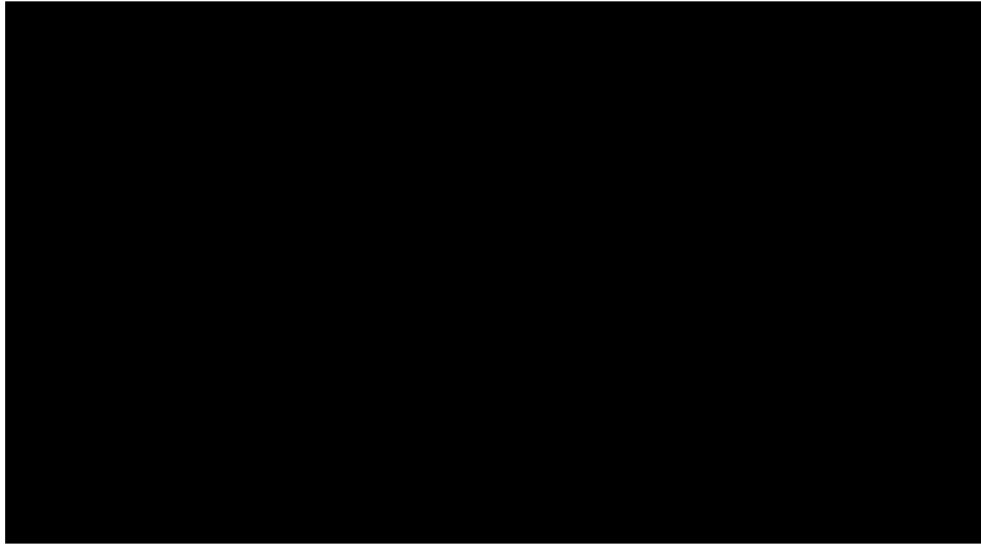
Ryan Kaldahl  


---

**From:** Kaldahl, Ryan M  
**Sent:** Saturday, December 21, 2019 11:29 AM  
**To:** 'Keller, Andrew (Foreign Relations)' <Andrew\_Keller@foreign.senate.gov>  
**Subject:** Cat 1-3

Hi Andrew, I hope this email finds you well, and let me apologize up front for emailing on a Saturday. I completely understand if you want to respond tomorrow. I am emailing to see if it would be possible for you and I to connect on Cat 1-3 today or tomorrow?





I can elaborate further on the phone at a time of your convenience.

Ryan Kaldahl



<Menendez Letter to Pompeo on Hold on Cat I-III Transfers.pdf>

Message

---

**From:** Pompian, Shawn M [PompianSM@state.gov]  
**Sent:** 12/23/2019 11:21:48 PM  
**To:** Khawam, Joseph N [KhawamJN@state.gov]  
**Subject:** RE: I-III AM, Tab 3  
**Attachments:** Tab 3 - Overview of State Department's Efforts to Revise USML Categories I II and III.docx

[REDACTED]

Shawn

---

**From:** Khawam, Joseph N <KhawamJN@state.gov>  
**Sent:** Monday, December 23, 2019 4:04 PM  
**To:** Pompian, Shawn M <PompianSM@state.gov>  
**Subject:** FW: I-III AM, Tab 3

[REDACTED]

Thanks,  
Joe

Joseph N. Khawam  
Office of the Legal Adviser (L/PM)

---

**From:** Kovar, Jeffrey D <KovarJD@state.gov>  
**Sent:** Monday, December 23, 2019 4:00 PM  
**To:** Khawam, Joseph N <KhawamJN@state.gov>  
**Subject:** RE: I-III AM, Tab 3

[REDACTED]

---

**From:** Khawam, Joseph N <KhawamJN@state.gov>  
**Sent:** Monday, December 23, 2019 1:44 PM  
**To:** Hart, Robert L <HartRL@state.gov>  
**Cc:** Heidema, Sarah J <HeidemaSJ@state.gov>; Kovar, Jeffrey D <KovarJD@state.gov>  
**Subject:** RE: I-III AM, Tab 3

[REDACTED]

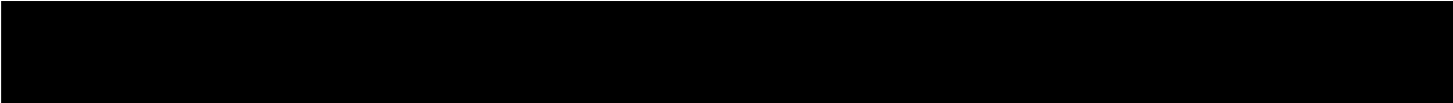
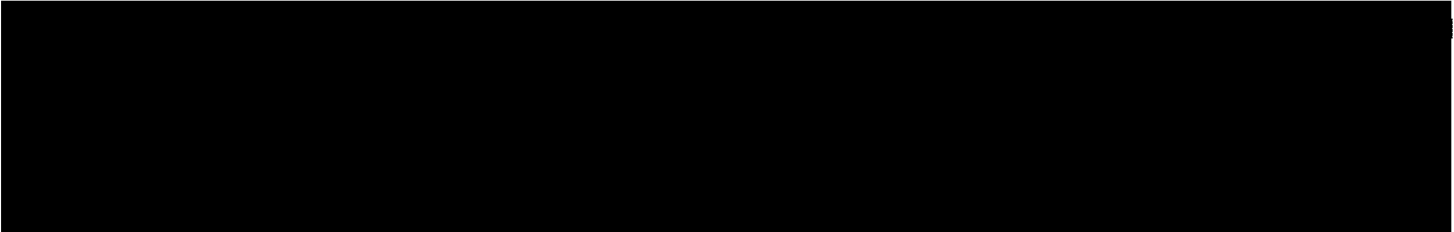
[REDACTED]



Joseph N. Khawam  
Office of the Legal Adviser (L/PM)

---

**From:** Hart, Robert L <[HartRL@state.gov](mailto:HartRL@state.gov)>  
**Sent:** Monday, December 23, 2019 1:17 PM  
**To:** Khawam, Joseph N <[KhawamJN@state.gov](mailto:KhawamJN@state.gov)>  
**Cc:** Heidema, Sarah J <[HeidemaSJ@state.gov](mailto:HeidemaSJ@state.gov)>  
**Subject:** RE: I-III AM, Tab 3



Thanks,

Rob Hart  
202.736.9221 | [hartrl@state.gov](mailto:hartrl@state.gov)

---

**From:** Khawam, Joseph N <[KhawamJN@state.gov](mailto:KhawamJN@state.gov)>  
**Sent:** Monday, December 23, 2019 1:00 PM  
**To:** Hart, Robert L <[HartRL@state.gov](mailto:HartRL@state.gov)>  
**Cc:** Heidema, Sarah J <[HeidemaSJ@state.gov](mailto:HeidemaSJ@state.gov)>  
**Subject:** RE: I-III AM, Tab 3



Joseph N. Khawam  
Office of the Legal Adviser (L/PM)

---

**From:** Hart, Robert L <[HartRL@state.gov](mailto:HartRL@state.gov)>  
**Sent:** Monday, December 23, 2019 12:32 PM  
**To:** Khawam, Joseph N <[KhawamJN@state.gov](mailto:KhawamJN@state.gov)>

**Cc:** Heidema, Sarah J <[HeidemaSJ@state.gov](mailto:HeidemaSJ@state.gov)>

**Subject:** I-III AM, Tab 3

Hi Joe,



Thanks,

Rob Hart

Chief, Regulatory and Multilateral Affairs Division

Department of State | Directorate of Defense Trade Controls

202.736.9221 | [hartri@state.gov](mailto:hartri@state.gov)

Message


**From:** Khawam, Joseph N [KhawamJN@state.gov]  
**Sent:** 12/24/2019 2:31:59 AM  
**To:** Pompian, Shawn M [PompianSM@state.gov]  
**Subject:** Re: I-III AM, Tab 3

Thanks, Shawn.

Joseph Khawam  
Office of the Legal Adviser (L/PM)

---

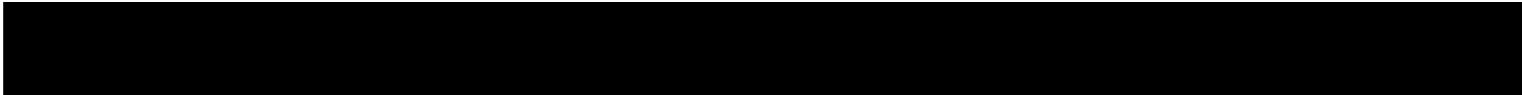
**From:** Pompian, Shawn M <PompianSM@state.gov>  
**Sent:** Monday, December 23, 2019 6:21:48 PM  
**To:** Khawam, Joseph N <KhawamJN@state.gov>  
**Subject:** RE: I-III AM, Tab 3



Shawn

---

**From:** Khawam, Joseph N <KhawamJN@state.gov>  
**Sent:** Monday, December 23, 2019 4:04 PM  
**To:** Pompian, Shawn M <PompianSM@state.gov>  
**Subject:** FW: I-III AM, Tab 3




Thanks,  
Joe

Joseph N. Khawam  
Office of the Legal Adviser (L/PM)

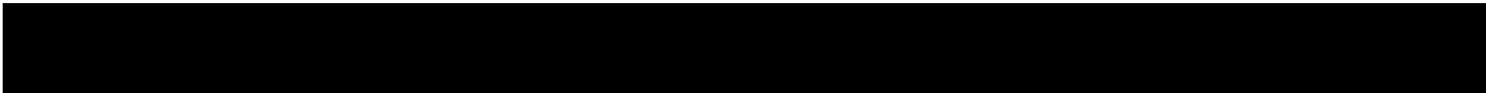
---

**From:** Kovar, Jeffrey D <KovarJD@state.gov>  
**Sent:** Monday, December 23, 2019 4:00 PM  
**To:** Khawam, Joseph N <KhawamJN@state.gov>  
**Subject:** RE: I-III AM, Tab 3



---

**From:** Khawam, Joseph N <KhawamJN@state.gov>  
**Sent:** Monday, December 23, 2019 1:44 PM  
**To:** Hart, Robert L <HartRL@state.gov>  
**Cc:** Heidema, Sarah J <HeidemaSJ@state.gov>; Kovar, Jeffrey D <KovarJD@state.gov>  
**Subject:** RE: I-III AM, Tab 3



[REDACTED]

[REDACTED]

Joseph N. Khawam  
Office of the Legal Adviser (L/PM)

---

**From:** Hart, Robert L <[HartRL@state.gov](mailto:HartRL@state.gov)>  
**Sent:** Monday, December 23, 2019 1:17 PM  
**To:** Khawam, Joseph N <[KhawamJN@state.gov](mailto:KhawamJN@state.gov)>  
**Cc:** Heidema, Sarah J <[HeidemaSJ@state.gov](mailto:HeidemaSJ@state.gov)>  
**Subject:** RE: I-III AM, Tab 3

[REDACTED]

Thanks,

Rob Hart  
202.736.9221 | [hartrl@state.gov](mailto:hartrl@state.gov)

---

**From:** Khawam, Joseph N <[KhawamJN@state.gov](mailto:KhawamJN@state.gov)>  
**Sent:** Monday, December 23, 2019 1:00 PM  
**To:** Hart, Robert L <[HartRL@state.gov](mailto:HartRL@state.gov)>  
**Cc:** Heidema, Sarah J <[HeidemaSJ@state.gov](mailto:HeidemaSJ@state.gov)>  
**Subject:** RE: I-III AM, Tab 3

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Joseph N. Khawam  
Office of the Legal Adviser (L/PM)

---

**From:** Hart, Robert L <[HartRL@state.gov](mailto:HartRL@state.gov)>  
**Sent:** Monday, December 23, 2019 12:32 PM  
**To:** Khawam, Joseph N <[KhawamJN@state.gov](mailto:KhawamJN@state.gov)>  
**Cc:** Heidema, Sarah J <[HeidemaSJ@state.gov](mailto:HeidemaSJ@state.gov)>  
**Subject:** I-III AM, Tab 3

Hi Joe,

[REDACTED]

Thanks,

Rob Hart  
Chief, Regulatory and Multilateral Affairs Division  
Department of State | Directorate of Defense Trade Controls  
202.736.9221 | [hartrl@state.gov](mailto:hartrl@state.gov)

Message

**From:** Hamilton, Catherine E [HamiltonCE@state.gov]  
**Sent:** 12/29/2019 1:44:12 AM  
**To:** Miller, Michael F [Millermf@state.gov]  
**CC:** Hamilton, Catherine E [HamiltonCE@state.gov]  
**Subject:** (SBU) Readout from 12/27/19 DAS Huddle

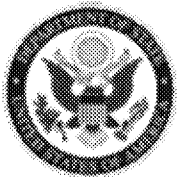
Very short huddle – less than 15 minutes.

- S has not reviewed the note on Cats 1-3.

Note – I did not raise I-3 because I requested information from Sarah on Monday and was told that there was nothing new. Also tried to connect with Rick before the meeting to find out if there was anything to convey but he wasn't around. The information highlighted above came from A/S Cooper – news to me.

Best,  
Cat

CATHERINE HAMILTON  
Director of Licensing  
Directorate of Defense Trade Controls  
United States Department of State  
202-663-2839



Message

**From:** Koelling, Richard W [KoellingRW@state.gov]  
**Sent:** 12/31/2019 12:44:13 PM  
**To:** Heidema, Sarah J [HeidemaSJ@state.gov]  
**Subject:** FW: Contact for Cat I-III (firearms) rule while I am out till January 6

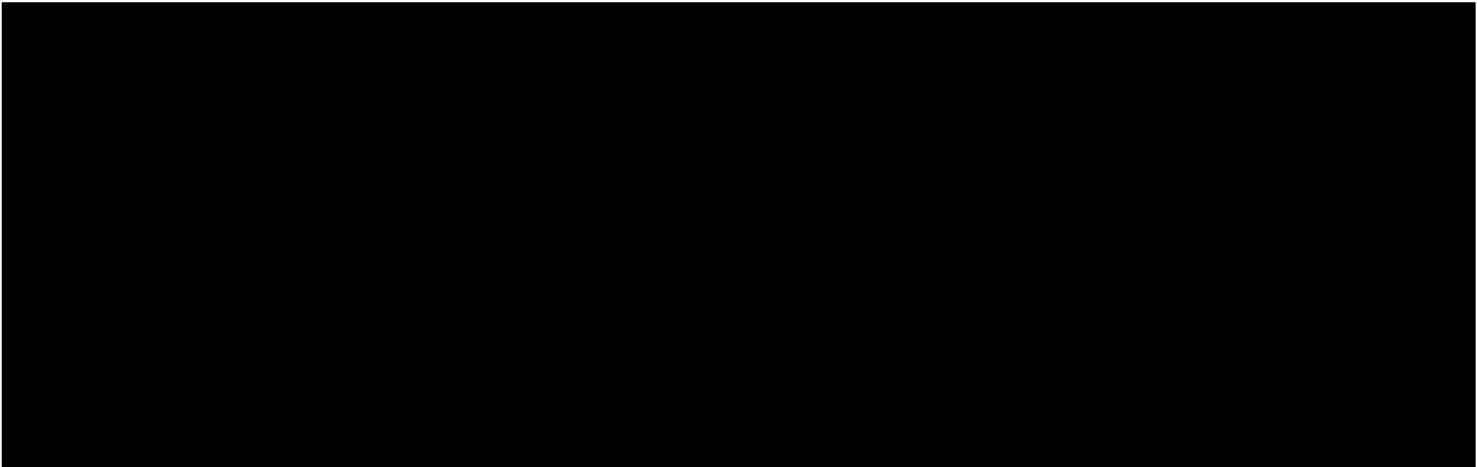
Sarah,  
For my situational awareness, did this not go out on the 26<sup>th</sup> as planned?

Rick

Richard W. Koelling, Jr.  
Deputy Director (Acting)  
Office of Defense Trade Controls Policy  
Department of State  
202-663-2828

SENSITIVE BUT UNCLASSIFIED

**From:** Timothy Mooney <Timothy.Mooney@bis.doc.gov>  
**Sent:** Monday, December 23, 2019 10:09 PM  
**To:** Heidema, Sarah J <HeidemaSJ@state.gov>; Hart, Robert L <HartRL@state.gov>; Nancy Kook <Nancy.Kook@bis.doc.gov>  
**Cc:** Koelling, Richard W <KoellingRW@state.gov>; Paul, Joshua M <PaulJM@state.gov>; Hillary Hess <Hillary.Hess@bis.doc.gov>; Jessica Curyto <Jessica.Curyto@bis.doc.gov>; Abraham, Liz <LABraham@doc.gov>; Clagett, Steven <steven.clagett@bis.doc.gov>; Jeff Bond <Jeff.Bond@bis.doc.gov>; Matthew Borman <Matthew.Borman@bis.doc.gov>; Richard Ashooh <Richard.Ashooh@bis.doc.gov>  
**Subject:** Contact for Cat I-III (firearms) rule while I am out till January 6



Message

**From:** Paul, Joshua M [PaulJM@state.gov]  
**Sent:** 12/31/2019 12:53:42 PM  
**To:** Miller, Michael F [Millermf@state.gov]; Heidema, Sarah J [HeidemaSJ@state.gov]; Hart, Robert L [HartRL@state.gov]  
**CC:** Windecker, Melissa A [WindeckerMA@state.gov]; Noonan, Michael J [NoonanMJ@state.gov]; Legal-PM-DL [Legal-PM-DL@state.gov]; PM-CPA [PM-CPA@state.gov]  
**Subject:** RE: CATS I, II, III: AM to S on Federal Register Publication  
**Attachments:** AM for S - USML Cat I-III Final FRN v8.docx  
**Importance:** High

Plus a couple, minus FOs. Here is the latest version of the AM, [REDACTED]

SBU - LEGAL

**From:** Cooper, R. Clarke <CooperRC@state.gov>  
**Sent:** Monday, December 30, 2019 4:43 PM  
**To:** Taylor, Mary Elizabeth <TaylorME3@state.gov>; Kaldahl, Ryan M <KaldahlRM@state.gov>; Paul, Joshua M <PaulJM@state.gov>; Miller, Michael F <Millermf@state.gov>; Starr, Joel E <StarrJE@state.gov>; Heidema, Sarah J <HeidemaSJ@state.gov>; Hart, Robert L <HartRL@state.gov>  
**Cc:** Legal-PM-DL <Legal-PM-DL@state.gov>; Windecker, Melissa A <WindeckerMA@state.gov>  
**Subject:** CATS I, II, III: AM to S on Federal Register Publication

Colleagues,

Regards,  
Clarke

**R. Clarke Cooper**  
Assistant Secretary of State  
Political Military Affairs Bureau

[REDACTED]  
[CooperRC@state.gov](mailto:CooperRC@state.gov)

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SBU - LEGAL



Message

**From:** Koelling, Richard W [KoellingRW@state.gov]  
**Sent:** 12/31/2019 1:27:22 PM  
**To:** Khawam, Joseph N [KhawamJN@state.gov]  
**Subject:** RE: Contact for Cat I-III (firearms) rule while I am out till January 6

Back in now if you're free.

Richard W. Koelling, Jr.  
Deputy Director (Acting)  
Office of Defense Trade Controls Policy  
Department of State  
202-663-2828

SENSITIVE BUT UNCLASSIFIED

**From:** Khawam, Joseph N <KhawamJN@state.gov>  
**Sent:** Tuesday, December 31, 2019 8:11 AM  
**To:** Koelling, Richard W <KoellingRW@state.gov>  
**Subject:** RE: Contact for Cat I-III (firearms) rule while I am out till January 6

Hi Rick: Just tried giving you a ring. I'm in the office today – 7-8546.

Thanks,  
Joe

Joseph N. Khawam  
Office of the Legal Adviser (L/PM)

SENSITIVE BUT UNCLASSIFIED

**From:** Koelling, Richard W <KoellingRW@state.gov>  
**Sent:** Tuesday, December 31, 2019 7:42 AM  
**To:** Khawam, Joseph N <KhawamJN@state.gov>  
**Subject:** FW: Contact for Cat I-III (firearms) rule while I am out till January 6

Joe,  
I have been out of the office for a week. Could you provide me the latest status of this effort?

Thanks,

Rick

Richard W. Koelling, Jr.  
Deputy Director (Acting)  
Office of Defense Trade Controls Policy  
Department of State  
202-663-2828

SENSITIVE BUT UNCLASSIFIED

**From:** Timothy Mooney <[Timothy.Mooney@bis.doc.gov](mailto:Timothy.Mooney@bis.doc.gov)>

**Sent:** Monday, December 23, 2019 10:09 PM

**To:** Heidema, Sarah J <[HeidemaSJ@state.gov](mailto:HeidemaSJ@state.gov)>; Hart, Robert L <[HartRL@state.gov](mailto:HartRL@state.gov)>; Nancy Kook <[Nancy.Kook@bis.doc.gov](mailto:Nancy.Kook@bis.doc.gov)>

**Cc:** Koelling, Richard W <[KoellingRW@state.gov](mailto:KoellingRW@state.gov)>; Paul, Joshua M <[PaulJM@state.gov](mailto:PaulJM@state.gov)>; Hillary Hess <[Hillary.Hess@bis.doc.gov](mailto:Hillary.Hess@bis.doc.gov)>; Jessica Curyto <[Jessica.Curyto@bis.doc.gov](mailto:Jessica.Curyto@bis.doc.gov)>; Abraham, Liz <[LAbraham@doc.gov](mailto:LAbraham@doc.gov)>; Clagett, Steven <[steven.clagett@bis.doc.gov](mailto:steven.clagett@bis.doc.gov)>; Jeff Bond <[Jeff.Bond@bis.doc.gov](mailto:Jeff.Bond@bis.doc.gov)>; Matthew Borman <[Matthew.Borman@bis.doc.gov](mailto:Matthew.Borman@bis.doc.gov)>; Richard Ashooh <[Richard.Ashooh@bis.doc.gov](mailto:Richard.Ashooh@bis.doc.gov)>

**Subject:** Contact for Cat I-III (firearms) rule while I am out till January 6

Message

**From:** Khawam, Joseph N [KhawamJN@state.gov]  
**Sent:** 12/31/2019 1:29:58 PM  
**To:** Koelling, Richard W [KoellingRW@state.gov]  
**Subject:** FW: CATS I, II, III: AM to S on Federal Register Publication

Joseph N. Khawam  
Office of the Legal Adviser (L/PM)

SBU - LEGAL

**From:** Kaldahl, Ryan M <KaldahlRM@state.gov>  
**Sent:** Monday, December 30, 2019 5:26 PM  
**To:** Cooper, R. Clarke <CooperRC@state.gov>; Taylor, Mary Elizabeth <TaylorME3@state.gov>; Paul, Joshua M <PaulJM@state.gov>; Miller, Michael F <MillerMF@state.gov>; Starr, Joel E <StarrJE@state.gov>; Heidema, Sarah J <HeidemaSJ@state.gov>; Hart, Robert L <HartRL@state.gov>  
**Cc:** Legal-PM-DL <Legal-PM-DL@state.gov>; Windecker, Melissa A <WindeckerMA@state.gov>  
**Subject:** RE: CATS I, II, III: AM to S on Federal Register Publication

Clarke, thank you for the update. The recommended AM works for H and H/FO is standing by to review/clear once drafted tomorrow.

All my best,

Ryan Kaldahl  
(202) 391-8831

SBU - LEGAL

**From:** Cooper, R. Clarke <CooperRC@state.gov>  
**Sent:** Monday, December 30, 2019 4:43 PM  
**To:** Taylor, Mary Elizabeth <TaylorME3@state.gov>; Kaldahl, Ryan M <KaldahlRM@state.gov>; Paul, Joshua M <PaulJM@state.gov>; Miller, Michael F <MillerMF@state.gov>; Starr, Joel E <StarrJE@state.gov>; Heidema, Sarah J <HeidemaSJ@state.gov>; Hart, Robert L <HartRL@state.gov>  
**Cc:** Legal-PM-DL <Legal-PM-DL@state.gov>; Windecker, Melissa A <WindeckerMA@state.gov>  
**Subject:** CATS I, II, III: AM to S on Federal Register Publication

Colleagues,

[REDACTED]

Regards,  
Clarke

***R. Clarke Cooper***  
Assistant Secretary of State  
Political Military Affairs Bureau

[REDACTED]

[CooperRC@state.gov](mailto:CooperRC@state.gov)

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SBU - LEGAL

Message

**From:** Khawam, Joseph N [KhawamJN@state.gov]  
**Sent:** 12/31/2019 1:52:39 PM  
**To:** Paul, Joshua M [PaulJM@state.gov]; Miller, Michael F [MillerMF@state.gov]; Heidema, Sarah J [HeidemaSJ@state.gov]; Hart, Robert L [HartRL@state.gov]  
**CC:** Windecker, Melissa A [WindeckerMA@state.gov]; Noonan, Michael J [NoonanMJ@state.gov]; PM-CPA [PM-CPA@state.gov]; Kovar, Jeffrey D [KovarJD@state.gov]  
**Subject:** RE: CATS I, II, III: AM to S on Federal Register Publication  
**Attachments:** Tab 3 - Overview of State Department's Efforts to Revise USML Categories I II and III.docx

Thanks, Josh. I'm in the office today and available to assist. Attached is the updated Tab 3 that reflects edits from Jeff Kovar and Shawn Pompian. [REDACTED]

The Tab 3 attachments are also ready to go. Please let me know when this is moving to the PM/FO, and I'm happy to assist the PM/FO to ensure that the Tab 3 attachments are included with the package, consistent with L's and DOJ's request.

Joseph N. Khawam  
Office of the Legal Adviser (L/PM)

SBU - LEGAL

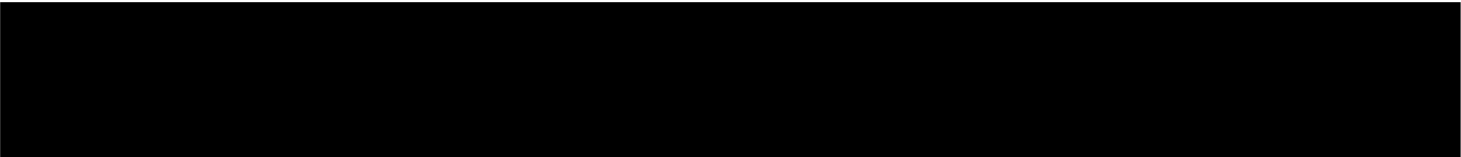
**From:** Paul, Joshua M <PaulJM@state.gov>  
**Sent:** Tuesday, December 31, 2019 7:54 AM  
**To:** Miller, Michael F <MillerMF@state.gov>; Heidema, Sarah J <HeidemaSJ@state.gov>; Hart, Robert L <HartRL@state.gov>  
**Cc:** Windecker, Melissa A <WindeckerMA@state.gov>; Noonan, Michael J <NoonanMJ@state.gov>; Legal-PM-DL <Legal-PM-DL@state.gov>; PM-CPA <PM-CPA@state.gov>  
**Subject:** RE: CATS I, II, III: AM to S on Federal Register Publication  
**Importance:** High

Plus a couple, minus FOs. Here is the latest version of the AM, [REDACTED]

SBU - LEGAL

**From:** Cooper, R. Clarke <CooperRC@state.gov>  
**Sent:** Monday, December 30, 2019 4:43 PM  
**To:** Taylor, Mary Elizabeth <TaylorME3@state.gov>; Kaldahl, Ryan M <KaldahlRM@state.gov>; Paul, Joshua M <PaulJM@state.gov>; Miller, Michael F <MillerMF@state.gov>; Starr, Joel E <StarrJE@state.gov>; Heidema, Sarah J <HeidemaSJ@state.gov>; Hart, Robert L <HartRL@state.gov>  
**Cc:** Legal-PM-DL <Legal-PM-DL@state.gov>; Windecker, Melissa A <WindeckerMA@state.gov>  
**Subject:** CATS I, II, III: AM to S on Federal Register Publication

Colleagues,  
[REDACTED]



Regards,  
Clarke

***R. Clarke Cooper***  
Assistant Secretary of State  
Political Military Affairs Bureau



CooperRC@state.gov

ENGAGE. ENHANCE. ENABLE.

SBU - LEGAL

Message

---

**From:** Heidema, Sarah J [HeidemaSJ@state.gov]  
**Sent:** 12/31/2019 3:53:29 PM  
**To:** Noonan, Michael J [NoonanMJ@state.gov]  
**Subject:** AM for S - USML Cat I-III Final FRN v8 2 ops  
**Attachments:** AM for S - USML Cat I-III Final FRN v8 2 ops.docx

Memo. Wait for tab 3...

Message

**From:** Heidema, Sarah J [HeidemaSJ@state.gov]  
**Sent:** 12/31/2019 3:56:21 PM  
**To:** Noonan, Michael J [NoonanMJ@state.gov]  
**Subject:** FW: I-III AM, Tab 3  
**Attachments:** Tab 3 - Overview of State Department's Efforts to Revise USML Categories I II and III.docx

---

**From:** Khawam, Joseph N <KhawamJN@state.gov>  
**Sent:** Monday, December 23, 2019 4:06 PM  
**To:** Heidema, Sarah J <HeidemaSJ@state.gov>; Hart, Robert L <HartRL@state.gov>  
**Subject:** FW: I-III AM, Tab 3

Joseph N. Khawam  
Office of the Legal Adviser (L/PM)

---

**From:** Kovar, Jeffrey D <KovarJD@state.gov>  
**Sent:** Monday, December 23, 2019 4:00 PM  
**To:** Khawam, Joseph N <KhawamJN@state.gov>  
**Subject:** RE: I-III AM, Tab 3

---

**From:** Khawam, Joseph N <KhawamJN@state.gov>  
**Sent:** Monday, December 23, 2019 1:44 PM  
**To:** Hart, Robert L <HartRL@state.gov>  
**Cc:** Heidema, Sarah J <HeidemaSJ@state.gov>; Kovar, Jeffrey D <KovarJD@state.gov>  
**Subject:** RE: I-III AM, Tab 3

Joseph N. Khawam  
Office of the Legal Adviser (L/PM)


---

**From:** Hart, Robert L <HartRL@state.gov>  
**Sent:** Monday, December 23, 2019 1:17 PM  
**To:** Khawam, Joseph N <KhawamJN@state.gov>



Cc: Heidema, Sarah J <[HeidemaSJ@state.gov](mailto:HeidemaSJ@state.gov)>

Subject: RE: I-III AM, Tab 3



Thanks,

Rob Hart

202.736.9221 | [hartrl@state.gov](mailto:hartrl@state.gov)

---

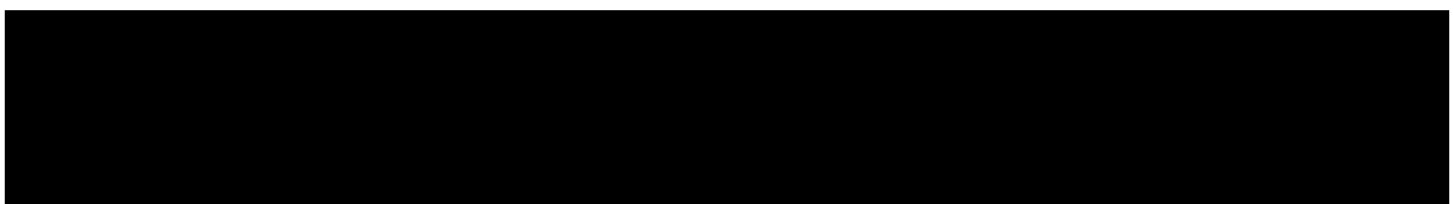

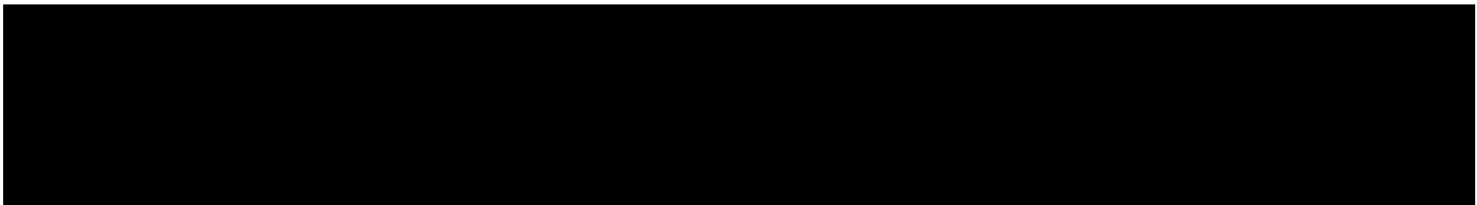
**From:** Khawam, Joseph N <[KhawamJN@state.gov](mailto:KhawamJN@state.gov)>

**Sent:** Monday, December 23, 2019 1:00 PM

**To:** Hart, Robert L <[HartRL@state.gov](mailto:HartRL@state.gov)>

**Cc:** Heidema, Sarah J <[HeidemaSJ@state.gov](mailto:HeidemaSJ@state.gov)>

**Subject:** RE: I-III AM, Tab 3



Joseph N. Khawam

Office of the Legal Adviser (L/PM)

---

**From:** Hart, Robert L <[HartRL@state.gov](mailto:HartRL@state.gov)>


**Sent:** Monday, December 23, 2019 12:32 PM

**To:** Khawam, Joseph N <[KhawamJN@state.gov](mailto:KhawamJN@state.gov)>

**Cc:** Heidema, Sarah J <[HeidemaSJ@state.gov](mailto:HeidemaSJ@state.gov)>

**Subject:** I-III AM, Tab 3

Hi Joe,



Thanks,

Rob Hart  
Chief, Regulatory and Multilateral Affairs Division  
Department of State | Directorate of Defense Trade Controls  
202.736.9221 | [hartrl@state.gov](mailto:hartrl@state.gov)

Message

---

**From:** Khawam, Joseph N [KhawamJN@state.gov]  
**Sent:** 12/31/2019 8:53:41 PM  
**To:** PM-Staffers Mailbox [PM-StaffersMailbox@state.gov]; Windecker, Melissa A [WindeckerMA@state.gov]  
**Subject:** Cats I-III AM - Large Files - Tab 3 Attachment 7  
**Attachments:** Tab 3 Att 7a - Public Comments to the Department of Commerce Proposed Rule.pdf; Tab 3 Att 7b - Public Comments to the Department of Commerce Proposed Rule.pdf; Tab 3 Att 7c - Public Comments to the Department of Commerce Proposed Rule.pdf; Tab 3 Att 7d - Public Comments to the Department of Commerce Proposed Rule.pdf

As mentioned to Ashley, I'm resending Tab 3 Attachment 7 after reducing the file size. I'll be sending Tab 3 Attachment 5 in separate emails now. Thanks.

Joseph N. Khawam  
Attorney-Adviser  
U.S. Department of State  
Office of the Legal Adviser (L/PM)  
2201 C Street NW, Suite 6420  
Washington, DC 20520  
(202) 647-8546 (T, W, T)  
(202) 663-2915 (M)  
(202) 663-3097 (F)  
Opennet: [KhawamJN@state.gov](mailto:KhawamJN@state.gov)



# PUBLIC SUBMISSION

<b>As of:</b> 5/30/18 9:46 PM
<b>Received:</b> May 24, 2018
<b>Status:</b> Posted
<b>Posted:</b> May 30, 2018
<b>Tracking No.</b> 1k2-93c2-zubs
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> API

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List

**Document:** BIS-2017-0004-0002

Public comment 1. Individual. W Pickering. 5-24-18

---

## Submitter Information

**Name:** William Pickering

**Address:**

14208 S. Longview Lane

Plainfield, IL, 60544

**Email:** Epockering1972@gmail.com

**Phone:** 815-931-1946

---

## General Comment

I believe this rule change is not in the best interest of the country or world. While the rule change seems to want to put certain weapons into the hunting category, weapons like the AR-15 are designed as weapons of war.

This is a threat to our interests overseas. Having these weapons transferred overseas creates a security threat as they can be procured from legitimate stores by terrorists and other criminal elements. There is no doubt American weaponry is far superior to the manufacturers and would serve our enemies well. As noted in various studies, there is a high percentage of weapons being used in terrorism and crimes around the world.

I can appreciate the administration trying to help the gun industry, but we can not feed the next generation of terrorists with US made weapons.

# PUBLIC SUBMISSION

<b>As of:</b> 5/30/18 9:51 PM
<b>Received:</b> May 25, 2018
<b>Status:</b> Posted
<b>Posted:</b> May 30, 2018
<b>Tracking No.</b> 1k2-93cn-59a7
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List

**Document:** BIS-2017-0004-0003

Public comment 2. Individual. M Sterland. 5-25-18

---

## Submitter Information

**Name:** Michael Sterland

**Address:**

143 Ennerdale Road

Cleator, Cumbria, United Kingdom, CA255LQ

**Email:** mikesterland@btopenworld.com

---

## General Comment

As a UK citizen, I often travel to the US & visit stores such as Cabelas & Sportsman's Warehouse whilst there. I cannot fail to notice the price of certain items (cartridge cases & bullets) are less than half what we are charged in the UK for the same item.

I don't understand why it isn't allowed for us to purchase & bring back the small amounts of these items we wish to purchase.

After all, they're already available here- at a ridiculous price.

Because of this, I buy components made in the EU, as they're not hamstrung with regulations & thus measurably cheaper.

Fix this & US manufacturers will see a significant increase in demand from UK based firearms owners.

# PUBLIC SUBMISSION

<b>As of:</b> 5/30/18 10:06 PM
<b>Received:</b> May 26, 2018
<b>Status:</b> Posted
<b>Posted:</b> May 30, 2018
<b>Tracking No.</b> 1k2-93cu-2uf1
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List

**Document:** BIS-2017-0004-0004

Public comment 3. Individual. T Goodwin. 5-26-18

---

## Submitter Information

**Name:** Thomas Goodwin

**Address:**

18229 Bridlington Drive

Edmond, OK, 73012

**Email:** thomaswgoodwiniii@gmail.com

**Phone:** 4054209889

---

## General Comment

Currently, many small firearms companies have many regulations stacked against them. Even some gunsmithing is pushing gunsmiths into a manufacturer category. This is just one of the many problems that could be changed with this proposed rule. It's time we reclassified many of these items and services to remove them from the ITAR and USML and place them on the CCL. Free up the market for our small companies and let the industry thrive.

# PUBLIC SUBMISSION

<b>As of:</b> 5/30/18 10:07 PM
<b>Received:</b> May 26, 2018
<b>Status:</b> Posted
<b>Posted:</b> May 30, 2018
<b>Tracking No.</b> 1k2-93d3-yh37
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List

**Document:** BIS-2017-0004-0005

Public comment 4. Individual. L White. 5-26-18

---

## Submitter Information

**Name:** Larry White

**Address:**

1196 Eleanor Avenue  
Rohnert Park, CA, 94928

**Email:** whitelm@excite.com

**Phone:** 7075888832

**Fax:** 94928

---

## General Comment

I fully support this. However, I believe all private individuals traveling abroad with personally owned firearms for lawful purposes such as hunting or competition should not be required to document the "export" through an official website designed for commercial exporters.

Also, since suppressors are very common among hunters and recreational shooters both in the U.S. and abroad and do not provide the U.S. or its allies with any special military advantage, the published proposals should include these on the CCL.

# PUBLIC SUBMISSION

<b>As of:</b> 5/30/18 10:05 PM
<b>Received:</b> May 26, 2018
<b>Status:</b> Posted
<b>Posted:</b> May 30, 2018
<b>Tracking No.</b> 1k2-93d4-e3lk
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List

**Document:** BIS-2017-0004-0006

Public comment 5. Individual. T Weeks. 5-26-18

---

## Submitter Information

**Name:** Thomas Weeks

**Address:**

2574 Bermuda Ct  
Loganville, GA, 30052

**Email:** tjweeks1@comcast.net

**Phone:** 770-554-1256

---

## General Comment

Please consider repealing the federal tax stamp for a sound suppressor for firearms. Suppressors are common shooting devices in Europe and many other countries of the world. I have lost around 50 % of my hearing due to using firearms even though I always use hearing protection. Under the current rules due to taxes a suppressors are beyond the reach of normal users. The time for purchasing a suppressor averages a wait between 6 and 12 months. Please amend this item to help people save their hearing.



# PUBLIC SUBMISSION

<b>As of:</b> 5/30/18 10:11 PM
<b>Received:</b> May 26, 2018
<b>Status:</b> Posted
<b>Posted:</b> May 30, 2018
<b>Tracking No.</b> 1k2-93d5-oaa4
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List

**Document:** BIS-2017-0004-0007

Public comment 6. Individual. M Larsen. 5-26-18

---

## Submitter Information

**Name:** Merlin Larsen

**Address:**

3715 Newell Drive  
West Jordan, UT, 84088

**Email:** douglarsen50@msn.com

**Phone:** 8012809696

**Fax:** 84088

---

## General Comment

I am responding as a life member of the NRA, at the behest of an NRA-ILA email alert to do so. I am in complete agreement that these changes to the economic strictures on guns and components, that are of civilian application and use, are necessary and should be done. Loosened or eased commercial regulations on US gun manufacturers and the components thereof, will make the US economy improve by being more competitive internationally. Meanwhile, the strictly military weapons and components will remain highly regulated (scrutinized), as they should be.

# PUBLIC SUBMISSION

<b>As of:</b> 5/30/18 10:13 PM
<b>Received:</b> May 26, 2018
<b>Status:</b> Posted
<b>Posted:</b> May 30, 2018
<b>Tracking No.</b> 1k2-93d6-eoxk
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List

**Document:** BIS-2017-0004-0008

Public comment 7. Anonymous. 5-26-18

---

## Submitter Information

**Name:** Anonymous Anonymous

---

## General Comment

Sound suppressors should be included in the CCL. Sound suppressors are increasingly used for hunting and recreational shooting and their technology is rudimentary at best. They do not hold proprietary knowledge limited to the US and provide no advantage to the military of the US or it's allies.

# PUBLIC SUBMISSION

<b>As of:</b> 5/30/18 10:17 PM
<b>Received:</b> May 27, 2018
<b>Status:</b> Posted
<b>Posted:</b> May 30, 2018
<b>Tracking No.</b> 1k2-93dq-k7l3
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List

**Document:** BIS-2017-0004-0009

Public comment 8. Individual. A Bourdon. 5-27-18

---

## Submitter Information

**Name:** Andrew Bourdon

---

## General Comment

In regards to Docket BIS-2017-0004 ("Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List"):

I support most of these proposed rule changes, as they would streamline the regulatory process. This would benefit Americans by reducing restrictions to trade, providing buyers and sellers with more options in the marketplace. It would also make US manufacturers more competitive against foreign importers. Finally, simpler and clearer rules will make it easier for new businesses to know what legal niches are available to them. The current system can be so vague and complex that many would-be entrepreneurs simply give up before starting because they're afraid of innovating in a way that ends up being deemed illegal for export.

# PUBLIC SUBMISSION

<b>As of:</b> 5/30/18 10:20 PM
<b>Received:</b> May 27, 2018
<b>Status:</b> Posted
<b>Posted:</b> May 30, 2018
<b>Tracking No.</b> 1k2-93dq-8cfn
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List

**Document:** BIS-2017-0004-0010

Public comment 9. Individual. J Potosky. 5-27-18

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## Submitter Information

**Name:** Joe Potosky

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## General Comment

Private individuals who travel abroad with personally owned firearms for lawful purposes such as hunting or competition requirement to document the "export" through an official website designed for commercial exporters.

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Oppose (serves no useful purpose).

# PUBLIC SUBMISSION

<b>As of:</b> 5/30/18 10:24 PM
<b>Received:</b> May 27, 2018
<b>Status:</b> Posted
<b>Posted:</b> May 30, 2018
<b>Tracking No.</b> 1k2-93dw-rqzt
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List

**Document:** BIS-2017-0004-0011

Public comment 10. Anonymous. 5-27-18

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## Submitter Information

**Name:** Anonymous Anonymous

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## General Comment

I do not think that we should make it easier to export firearms from the United States. We do not need to provide more weapons to people overseas, who then have the potential to hurt us or our allies with them. Please leave the current rules in place, whereby firearm exports need to go through the State Department.

# PUBLIC SUBMISSION

<b>As of:</b> 6/1/18 3:20 PM
<b>Received:</b> May 28, 2018
<b>Status:</b> Posted
<b>Posted:</b> May 30, 2018
<b>Tracking No.</b> 1k2-93en-381h
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List

**Document:** BIS-2017-0004-0012

Public comment 11. Individual. D Brach. 5-27-18

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## Submitter Information

**Name:** David Brach

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## General Comment

These new proposed rules are a good start, but please make it easier for people to travel abroad with weapons for hunting or competition. Also, please make it easier on suppressor manufacturers by changing them to non military.

# PUBLIC SUBMISSION

<b>As of:</b> 5/30/18 10:34 PM
<b>Received:</b> May 29, 2018
<b>Status:</b> Posted
<b>Posted:</b> May 30, 2018
<b>Tracking No.</b> 1k2-93f8-ndv2
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> API

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List

**Document:** BIS-2017-0004-0013

Public comment 12. Individual. M Holliday. 5-28-18

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## Submitter Information

**Name:** Michael Holliday

**Address:**

P.O. Box 1269  
12482 Dalton Trail  
Lusby, MD, 20657

**Email:** wolfdad@comcast.net

**Phone:** 301-373-0141

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## General Comment

I take issue with the use of the term "assault weapons" or "close assault weapons." Without a definitive explanation, the terms should not be used. The terms have been made a modern slang way of describing any number of semi-automatic firearms and the term has become a negative. Please use the term "semi automatic" rifles, pistols or other firearm.

# PUBLIC SUBMISSION

<b>As of:</b> 5/30/18 10:38 PM
<b>Received:</b> May 29, 2018
<b>Status:</b> Posted
<b>Posted:</b> May 30, 2018
<b>Tracking No.</b> 1k2-93f9-yegq
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List

**Document:** BIS-2017-0004-0014

Public comment 13. Anonymous. 5-29-18

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## Submitter Information

**Name:** Anonymous Anonymous

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## General Comment

I fully support to proposed rule to change how articles the President determines no longer warrant control under United States Munitions List (USML) Category I Firearms, Close Assault Weapons and Combat Shotguns; Category II Guns and Armament; and Category III Ammunition/Ordnance would be controlled under the Commerce Control List (CCL). This proposed rule is being published simultaneously with a proposed rule by the Department of State that would revise Categories I, II, and III of the USML to describe more precisely the articles warranting continued control on that list.

This improvement to US regulations will help legitimate commerce and to help the competitiveness of American companies in international trade.

Thank you for the opportunity to support this important change to Federal regulations.



# PUBLIC SUBMISSION

<b>As of:</b> 5/31/18 8:31 AM
<b>Received:</b> May 29, 2018
<b>Status:</b> Posted
<b>Posted:</b> May 31, 2018
<b>Tracking No.</b> 1k2-93fa-ipto
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List

**Document:** BIS-2017-0004-0015

Public comment 14. Individual. W Hangen. 5-29-18

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## Submitter Information

**Name:** WILLIAM HANGEN

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## General Comment

I support the proposed rule as written, but with a few minor changes:

1) the referenced magazine capacity restriction of 50 rounds should be doubled, to 100 rounds. There are several magazine manufacturers in the United States producing magazines of greater than 50 rounds that would benefit from this change, and such manufacture and enabling technology for magazines greater than 50 rounds is found worldwide. Limiting this magazine capacity to 50 rounds does not protect any special US or allied military advantage, but magazines of greater than 50 rounds are commonly found worldwide. Drum type magazines for the Kalashnikov family of weapons are a prime example.

2) the proposed rule does not address sound suppressors. Sound suppressors are readily available in the US and overseas, and the technical know-how to produce them is found worldwide. There are a plethora of US manufacturers fabricating sound suppressors that would benefit from this rule change, and the use of sound suppressors does not confer any special US or allied military advantage. Inclusion of sound suppressor deregulation would benefit US manufacturing interests without harming our military position.

3) the proposed rule does not address the currently onerous requirement that hunters and recreational shooters document an exportation of their firearms when leaving the country through a website clearly designed for commercial-level export firms. Such regulations do exceedingly little to protect US interests abroad, while unduly burdening hunters and sport shooters with unnecessary red tape and government interference. Repeal of such current regulation would not only ease the burden on law-abiding recreational marksmen, but it would reduce cost and overhead on the government side of the equation as well.

Thank you for your time and attention regarding this matter. Have a great day!

# PUBLIC SUBMISSION

<b>As of:</b> 5/31/18 8:38 AM
<b>Received:</b> May 29, 2018
<b>Status:</b> Posted
<b>Posted:</b> May 31, 2018
<b>Tracking No.</b> 1k2-93fb-jsuf
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List

**Document:** BIS-2017-0004-0016

Public comment 15. Individual. J Sammur. 5-29-18

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## Submitter Information

**Name:** Jennie Sammur

**Address:**

tampa, FL,

**Email:** jsammur@mail.usf.edu

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## General Comment

Recent mass shootings have re-energized the Gun Control movement for political purposes and vanishment of all guns will be the goal to prevent this tragedy from happening again having as the ultimate goal the elimination of the Second Amendment.

However, the good initiative of addressing the high rate of gun violence in the Nation should be supported. We want resources and solutions put in place that will work. However, eliminating the Constitutional Amendment is not the solution. Creating laws and regulations together with enforcement of such is a starting point. There is no need for civilians and non law enforcement related people to carry AR, AK, MG or any type of automatic firearm.

I am a gun owner who fully supports the proper regulation, registration. A full licensing process before anyone can even own a gun should be required(regulation and policy). President Trump together with a group of representatives with various perspectives including Sportsman and Hunting Organizations, Anti-Gun Advocates, NRA, Law Enforcement, etc. establish guidelines. To structure the various federal and state laws/regulations which are too many so it can be narrowed down and all states would abide by it.

# PUBLIC SUBMISSION

<b>As of:</b> 5/31/18 9:02 AM
<b>Received:</b> May 29, 2018
<b>Status:</b> Posted
<b>Posted:</b> May 31, 2018
<b>Tracking No.</b> 1k2-93fc-e3qm
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List

**Document:** BIS-2017-0004-0017

Public comment 16. Anonymous. 5-29-18

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## Submitter Information

**Name:** Anonymous Anonymous

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## General Comment

I would propose no longer than a 90 day Delayed effective date for proposed rule 83 FR 24166 "Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List".

Many small businesses stand to benefit from this proposed rule, especially if they do not import or export at all, only manufacture. All other systems checks are in place to regulate the manufacture of non-imported and non-exported firearms, through the ATF.

# PUBLIC SUBMISSION

<b>As of:</b> 5/31/18 9:07 AM
<b>Received:</b> May 30, 2018
<b>Status:</b> Posted
<b>Posted:</b> May 31, 2018
<b>Tracking No.</b> 1k2-93fr-9nra
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List

**Document:** BIS-2017-0004-0018

Public comment 17. Individual. Ted Reutenik. 5-30-18

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## Submitter Information

**Name:** Ted Ruetenik

**Address:**

46 Liberty Street  
Newburyport, MA, 01950

**Email:** truetenik@hotmail.com

**Phone:** 978-463-2525

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## General Comment

The proposal to move the responsibility for overseas gun sales from the State Department to the Commerce Department is a bad idea. Stopping guns, especially assault weapons, from getting into the wrong hands should be a top priority. Immigration to this country is already spurred on by violent drug gangs in Central America. Easing the sale of more weapons will only further the immigration and drug problems. The guns could also be used against American soldiers in future combat situations.

There is only one goal of this proposal. That is, to help the gun companies sell more guns. The potential overall costs of expanded violence and illegal immigration have not been considered. The lack of a moral compass should bother anyone involved with this issue.

# PUBLIC SUBMISSION

<b>As of:</b> 5/31/18 9:12 AM
<b>Received:</b> May 30, 2018
<b>Status:</b> Posted
<b>Posted:</b> May 31, 2018
<b>Tracking No.</b> 1k2-93fr-h0gz
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List

**Document:** BIS-2017-0004-0019

Public comment 18. Individual. A Haley. 5-30-18

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## Submitter Information

**Name:** Allan Haley

**Address:**

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Georgetown, MA, 01833

**Email:** allan.haley@monotype.com

**Phone:** 617-957-8127

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## General Comment

President Trumps New Proposal for easing restrictions on overseas gun sales is counter the well-being of American citizens. It would accelerate gun sales to Mexican and Central American violent gangs creating more violence in these countries. This would spur more immigration to the US. In addition, along with increased drug gang power would come more illegal drugs flowing into the US.

This proposal is a bad idea.

# PUBLIC SUBMISSION

<b>As of:</b> 6/1/18 3:06 PM
<b>Received:</b> May 31, 2018
<b>Status:</b> Posted
<b>Posted:</b> June 01, 2018
<b>Tracking No.</b> 1k2-93gd-pdjs
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List

**Document:** BIS-2017-0004-0020

Public comment 19. Individual. J Mouradian. 5-31-18

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## Submitter Information

**Name:** Judy Mouradian

**Address:**

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Newburyport, MA, 01950

**Email:** jmouradian@hotmail.com

**Phone:** 9784632525

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## General Comment

I am appalled that this administration is proposing that responsibility for overseas gun sales move from the State Department to the Commerce Department. There is only one purpose for this - to ease restrictions on overseas gun sales - helping U.S. gun manufacturers to sell more guns. The outcome would be catastrophic. These guns would be sold to the very countries that already breed violent drug gangs, causing their citizens to flee to the U.S. Do we really want to spread the gun violence that is happening in our country to other countries? Do we want to create more deaths and drug trafficking? Do we want to create more homeless refugees? This is a lose-lose situation for everyone except gun manufacturers and the NRA. Please stop this horrible proposal!

# PUBLIC SUBMISSION

<b>As of:</b> 6/1/18 3:09 PM
<b>Received:</b> May 31, 2018
<b>Status:</b> Posted
<b>Posted:</b> June 01, 2018
<b>Tracking No.</b> 1k2-93gj-6534
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> API

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List

**Document:** BIS-2017-0004-0021

Public comment 20. Individual. K R Davis. 5-31-18

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## Submitter Information

**Name:** Kermit R. Davis

**Address:**

386 Licklog Ridge

Hayesville, 28904

**Email:** krd226@bellsouth.net

**Phone:** 8283894276

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## General Comment

I am totally against any rule under the United States Munitions List that would allow increased gun sales from United States companies to overseas buyers. There is already too much violence and killing in the world involving guns. The United States government should not be involved in promoting gun sales overseas.

Thank you.

# PUBLIC SUBMISSION

<b>As of:</b> 6/1/18 3:12 PM
<b>Received:</b> May 31, 2018
<b>Status:</b> Posted
<b>Posted:</b> June 01, 2018
<b>Tracking No.</b> 1k2-93go-w4zz
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List

**Document:** BIS-2017-0004-0022

Public comment 21. Individual. D Tetrick. 5-31-18

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## Submitter Information

**Name:** David Tetrick

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## General Comment

Making it easier to export weapons of war is a terrible idea. Keep control of these weapons and munitions as they are at present, and maintain that close watch over companies and corporations that would seek to arm militaries and paramilitaries around the world regardless of whether their interests align with those of the United States.



# PUBLIC SUBMISSION

<b>As of:</b> 6/4/18 7:14 AM
<b>Received:</b> June 02, 2018
<b>Status:</b> Posted
<b>Posted:</b> June 04, 2018
<b>Tracking No.</b> 1k2-93hm-m9v2
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List

**Document:** BIS-2017-0004-0023

Public comment 22. Individual. J Ruetenik. 6-2-18

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## Submitter Information

**Name:** Jim Ruetenik

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## General Comment

Please do not export our violence. It is bad enough that we export lung disease and diabetes. Stop the export of lethal weapons such as guns. They will be used against Americans in those countries.

# PUBLIC SUBMISSION

<b>As of:</b> 6/4/18 7:20 AM
<b>Received:</b> June 03, 2018
<b>Status:</b> Posted
<b>Posted:</b> June 04, 2018
<b>Tracking No.</b> 1k2-93im-ba4e
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List

**Document:** BIS-2017-0004-0024

Public comment 23. Anonymous. S. Anonymous. 5-29-18

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## Submitter Information

**Name:** Shay Anonymous

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## General Comment

I agree with and support this rules change. While there are definitely items that need to be export-controlled in order to maintain our technological advantages over others and prevent them from falling into enemy hands, most small arms do not fall into that category. Small arms and ammunition are a well-understood and mature technology, removing them from the USML reduces the monetary burden on importers and exporters of firearms and ammunition without endangering the United States or its people. Furthermore, it could open up new markets to smaller manufacturers, which is good for the industry.

# PUBLIC SUBMISSION

<b>As of:</b> 6/5/18 3:14 PM
<b>Received:</b> June 04, 2018
<b>Status:</b> Posted
<b>Posted:</b> June 05, 2018
<b>Tracking No.</b> 1k2-93j9-dn8r
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List

**Document:** BIS-2017-0004-0025

Public comment 24. Anonymous. 6-4-18

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## Submitter Information

**Name:** Anonymous Anonymous

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## General Comment

Do not remove important export controls on non-military firearms, including handguns, semiautomatic assault rifles like the AR-15, and .50-caliber sniper rifles from your control. This change could (open) up a lot more risk and a lot more opportunity for illegal and illicit trafficking. A loosening of controls may also make it harder to identify and prosecute arms smugglers and illegal exporters.

The U.S. Congress would also lose its ability to oversee commercial weapons sales of \$1 million or more. The rule would seek to legitimize semiautomatic assault rifles as civilian products when they are, clearly, battlefield weapons.

This makes no sense at all. I object!

# PUBLIC SUBMISSION

**As of:** 6/5/18 3:18 PM  
**Received:** June 04, 2018  
**Status:** Posted  
**Posted:** June 05, 2018  
**Tracking No.** 1k2-93jb-re3p  
**Comments Due:** July 09, 2018  
**Submission Type:** Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List

**Document:** BIS-2017-0004-0026

Public comment 25. Individual. K Koupal. 6-4-18

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## Submitter Information

**Name:** Ken Koupal

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## General Comment

Please don't export arms and ammunition. Don't supply terrorists, foreign or domestic.

# PUBLIC SUBMISSION

<b>As of:</b> 6/5/18 3:21 PM
<b>Received:</b> June 04, 2018
<b>Status:</b> Posted
<b>Posted:</b> June 05, 2018
<b>Tracking No.</b> 1k2-93jc-ce49
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List

**Document:** BIS-2017-0004-0027

Public comment 26. Individual. R Clemans. 6-4-18

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## Submitter Information

**Name:** Robert Clemans

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Golden, CO, 80403-8122

**Email:** rjclemans@wildblue.net

**Phone:** 3037621758

**Organization:** DBA Robert John Clemans

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## General Comment

I agree with and support this rules change. As an arms dealer these changes will reduce my prices and therefore what I charge.

# PUBLIC SUBMISSION

<b>As of:</b> 6/15/18 10:55 AM
<b>Received:</b> June 07, 2018
<b>Status:</b> Posted
<b>Posted:</b> June 15, 2018
<b>Tracking No.</b> 1k2-93l6-ok7c
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List

**Document:** BIS-2017-0004-0028

Public comment 27. Individual. P Hiller. 6-7-18

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## Submitter Information

**Name:** Patrick Hiller

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## General Comment

Dear Ladies and Gentlemen,

I oppose the proposed rule for the following reasons:

1. The proposed rule treats semi-automatic assault rifles as non-military. But many state and non-state groups in importing countries use semi-automatic rifles in armed conflicts, causing enormous damage. Regarding wide retail availability of firearms, about which comment has been requested, many countries, including Mexico, prohibit civilian possession of semi-automatic rifles and handguns, as well as of any larger caliber firearm. Six U.S. states, the District of Columbia, and several large retail chains also prohibit retail sale of semi-automatic assault rifles.
2. The proposed rule would eliminate Congressional oversight for important gun export deals. Congress will no longer be automatically informed about sizable sales of these weapons. That will limit its ability to comment on related human rights concerns, as it recently did on the Philippines and Turkey.
3. National brokering laws are a weak link in the chain of efforts to curtail trafficking of small arms and light weapons. The switch from State to Commerce will mean that the brokers and financiers who arrange shipments of semiautomatic firearms will no longer have a statutory requirement to register and obtain a license, increasing risk of trafficking. That will make it easier for unscrupulous dealers to escape attention.
4. The rule reduces end-use controls for gun exports. It would eliminate the State Departments Blue Lantern program for gun and ammunition exports, which carries out hundreds of pre-license and post-shipment inspections and publicly reports on them. It also would move license approval out of the department that compiles the U.S. Governments information on human rights violations, reducing the ability to effectively deny weapons licenses to international human rights violators.
5. End-use controls are weakened by eliminating registration of firearms exporters, a requirement since the 1940s.
6. The rule enables unchecked gun production in the U.S. and exports abroad by removing the block on 3D printing of firearms. When Defense Distributed founder Cody Wilson posted online instructions for 3D-printing

weapons, the State Department successfully charged him with violating arms export laws, since his open-source posting made it possible for anyone with access to a 3D printer, anywhere, to produce a lethal weapon. The Commerce Department is unlikely to make the same argument once those weapons are transferred to their control. Unless corrected, the new regulations run the risk of effectively condoning and enabling 3D printing of firearms in the U.S. and around the globe. By effectively eliminating many means to detect firearms, background checks on domestic sales and end-use controls on international exports for such weapons, this change could generate many preventable tragedies.

7. The Commerce Department does not have resources to enforce export controls, even before the addition of 30,000 firearms export licenses as a result of this rule predicted by Commerce. The BISs enforcement office, with no staff in Latin America, Africa, or many other parts of the world, is not equipped to take the same level of preventive measures for end-use controls. Moreover, the State Department has developed extensive data, expertise and institutional relations to implement the Leahy Law for security assistance, which can serve as a critical foundation in both pre-license and post-shipment checks to control and verify end uses and end users. Commerce does not have these resources.

8. The proposed change will reduce transparency and reporting on gun exports.

9. This rule would transfer gun export licensing to an agency the Commerce Department - whose principle mission is to promote trade. Firearms, both assault weapons and non-semi-automatic weapons, are uniquely and pervasively used in criminal violence around the world. Controlling their export should be handled by the State Department, which is mandated and structured to address the potential impacts in importing nations on stability, human security, conflict, and human rights.

10. Firearms are used to kill a thousand people every day around the world in acts of organized crime, political violence, terrorism, and human rights violations. Research indicates that the types of weapons being transferred to Commerce control, including AR-15, AK-47, and other military-style assault rifles and their ammunition, are weapons of choice for criminal organizations in Mexico and other Latin American countries that are responsible for most of the increasing and record levels of homicides in those countries. The export of these weapons should be subject to more controls, not less.

# PUBLIC SUBMISSION

<b>As of:</b> 6/15/18 10:59 AM
<b>Received:</b> June 09, 2018
<b>Status:</b> Posted
<b>Posted:</b> June 15, 2018
<b>Tracking No.</b> 1k2-93md-injf
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List

**Document:** BIS-2017-0004-0030

Public comment 29. Individual. J Sorensen. 6-9-18

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## Submitter Information

**Name:** Jamie Sorensen

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## General Comment

Please try to simplify regulations for good people trying to do the right thing. We are so overburdened with regulations now we can't see over the top. 99% of the regulations do nothing to stop the bad guys. They just harass the good people.



# PUBLIC SUBMISSION

<b>As of:</b> 6/15/18 11:05 AM
<b>Received:</b> June 09, 2018
<b>Status:</b> Posted
<b>Posted:</b> June 15, 2018
<b>Tracking No.</b> 1k2-93me-cv1w
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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List

**Document:** BIS-2017-0004-0031

Public comment 30. Individual. W Bunyea. 6-9-18

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## Submitter Information

**Name:** Walter Bunyea

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## General Comment

I agree completely!

An annual registration fee that manufacturers of defense items must pay, whether or not they export their products is simply unjustifiable. Please end this bad practice as soon as you can.

Applying the regime to private travelers/hunters is just bizarre. So, please end this practice as well.

Finally, and most importantly, please put an end to any harassing or censorship of firearm instructors within the U.S, bloggers, writers, and those posting online guides or tutorials discussing "technical data" about defense items. This seems to be a clear violation of our First Amendment right to free speech. So, I urge you to cease these activities immediately.

Promote free commerce and protect our rights at home and abroad.

Thank you for your consideration of our basic liberties.

# PUBLIC SUBMISSION

<b>As of:</b> 6/15/18 11:08 AM
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<b>Posted:</b> June 15, 2018
<b>Tracking No.</b> 1k2-93mh-f00a
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List

**Document:** BIS-2017-0004-0032

Public comment 31. Individual. R Williams. 6-9-18

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## Submitter Information

**Name:** Roy Williams

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## General Comment

"BIS will also take into consideration any public comments submitted on this aspect of the proposed rule regarding imposing an EEI filing requirement in AES, as well as comments on the current practice of using the CBP Form 4457, as well as any other suggestions on alternative approaches for tracking such information.

Travelers leaving the United States temporarily would be required to declare the 0A501 and 0A505 items to a CBP officer prior to departure from the United States and present the firearms, parts, components, accessories, attachments, and ammunition they are exporting to the CBP officer for inspection, confirming that the authority for the export is License Exception BAG, that the exporter is compliant with its terms. "

As a competitive pistol shooter and current member of the US National Team that travels several times a year to international competitions, the 4457 system works and additional complication is unnecessary and burdensome.

Requiring travelers to present items to CBP each trip heavily impacts travelers beginning journeys from locations that do not have fully-staffed CBP offices and interrupting a journey to present items at a port of entry will induce delays, be problematic and could lead to the traveler breaking state and local laws by taking possession of firearms for the purpose of inspection on departure (eg: California prohibits individual possession of firearms and parts otherwise legal to check-through from Wyoming in checked baggage.). Even in locations with CBP offices, completion of a 4457 can require appointments and take several hours if officers are otherwise engaged.

Presenting unserialized items such as "ammunition, parts, components or accessories" in advance of travel would still be burdensome to travellers far from CBP facilities as well as wasteful, meaningless and largely unenforceable.

# PUBLIC SUBMISSION

<b>As of:</b> 6/15/18 11:15 AM
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<b>Tracking No.</b> 1k2-93mi-rvov
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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List

**Document:** BIS-2017-0004-0033

Public comment 32. Friar Arms. J Friar. 6-9-18

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## Submitter Information

**Name:** James Friar

**Address:**

544 Milford Rd

unit 26

Swansea, MA, 02777

**Email:** friararms@comcast.net

**Phone:** 7745261713

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## General Comment

Please change the rule. I am a gunsmith in Massachusetts staring out on my own. I make Competition pistols by hand one at a time. This tax has made it so I have to make and sell pistols faster than I possibly can to realize any profit. This tax is barely noticeable to major manufacturer and prevents me from competing in the market place. Thank you for the opportunity to comment.

James Donald Friar

Friar Arms

Swansea MA

# PUBLIC SUBMISSION

<b>As of:</b> 6/15/18 11:19 AM
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<b>Tracking No.</b> 1k2-93mq-6e1j
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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List

**Document:** BIS-2017-0004-0034

Public comment 33. Individual. C Berry. 6-9-18

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## Submitter Information

**Name:** Chris Berry

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## General Comment

I support the administration's efforts to remove these needlessly burdensome and unproductive requirements and regulations related to the exportation of certain classes of firearms, accessories and other parts. Americans are best served by free market trade and benefit from any effort to move towards an environment that fosters economic activity. The arguments for regulations that hinder free trade take many forms, but firearm regulations arouse a vigor in the opposition scarcely seen in other industries. Regardless of ones beliefs about guns, regulations like these do little to serve the proponents intended purpose, but do have a very real negative impact on American businesses and workers.

I have significant disagreement with the Trump administration with regard to the use of tariffs, quotas and cherry picking businesses for noncompetitive government support. However, I am proud of efforts like these that serve as a model to other countries about the mutual benefit of economic freedom.

# PUBLIC SUBMISSION

<b>As of:</b> 6/15/18 11:23 AM
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<b>Tracking No.</b> 1k2-93n3-chk9
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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List

**Document:** BIS-2017-0004-0035

Public comment 34. Individual. H Blake. 6-10-18

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## Submitter Information

**Name:** Henry Blake

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## General Comment

The items to be opened for export are currently freely manufactured in many parts of the world. Not only will our businesses prosper if we engage in this traffic but we will improve our knowledge and capability. To address the fears of some of the commentators, a disproportionately armed world will result in nothing more than the crushing defeat of the weak. We should help those people help themselves.

HLB

# PUBLIC SUBMISSION

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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List

**Document:** BIS-2017-0004-0036

Public comment 35. Individual. S German. 6-10-18

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## Submitter Information

**Name:** Stephen German

**Address:**

840 Washington St.

Lamont, IA, 50650

**Email:** sjgerman@iowatelecom.net

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## General Comment

gunsmiths and gunsmiths that are manufacturers but do no actual exporting should be exempt from ITAR regulations. They are just trying to make a living. They do not make a lot of money and are unduly burdened by the extra fees. It is just a back door way of gun control.

# PUBLIC SUBMISSION

<b>As of:</b> 6/15/18 11:31 AM
<b>Received:</b> June 11, 2018
<b>Status:</b> Posted
<b>Posted:</b> June 15, 2018
<b>Tracking No.</b> 1k2-93ns-7coz
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List

**Document:** BIS-2017-0004-0037

Public comment 36. Individual. D Youkilis. 6-11-18

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## Submitter Information

**Name:** Daniel Youkilis

**Address:**

6696 Fair Oaks Dr.  
Cincinnati, OH, 45237

**Email:** dyouk777@gmail.com

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## General Comment

As a close relative of someone murdered by an AR-15, I know that semi-automatic assault rifles have no civilian purpose. This proposed rule treats semi-automatic assault rifles as non-military. But many state and non-state groups in importing countries use semi-automatic rifles in armed conflicts, causing enormous damage. U.S. troops use rifles in semi-automatic mode an overwhelming amount of the time. Regarding wide retail availability of firearms, about which comment has been requested, many countries prohibit civilian possession of semi-automatic rifles and handguns, as well as of any larger caliber firearm. Six U.S. states, the District of Columbia, and several large retail chains also prohibit retail sale of semi-automatic assault rifles. Many semi-automatic rifles are also easily converted to fully automatic firearms. Because military-style assault rifles clearly have substantial military utility, transfer of these firearms to Commerce Department control is inconsistent with the statutory framework enacted by the Congress to regulate the export of arms. These are weapons of war and their only civilian purpose is carnage. They must not be transferred to the Commerce Department control where they would not be given proper oversight.

# PUBLIC SUBMISSION

<b>As of:</b> 6/15/18 11:37 AM
<b>Received:</b> June 11, 2018
<b>Status:</b> Posted
<b>Posted:</b> June 15, 2018
<b>Tracking No.</b> 1k2-93nv-p383
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List

**Document:** BIS-2017-0004-0038

Public comment 37. Individual. L Ward. 6-11-18

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## Submitter Information

**Name:** Logan Ward

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## General Comment

We need to get rid of all firearms regulations. Because firearms regulations do nothing to stop or prevent violence.



# PUBLIC SUBMISSION

<b>As of:</b> 6/20/18 4:32 PM
<b>Received:</b> June 04, 2018
<b>Status:</b> Posted
<b>Posted:</b> June 20, 2018
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<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0052

Public comment 38. Anonymous. 6-4-18

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## Submitter Information

**Name:** Anonymous Anonymous

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## General Comment

This proposed rule has one purpose and one purpose only: to garner profits for a U.S. gun industry that is faring poorly domestically. It comes after a multi-year lobbying campaign by the NRA and National Shooting Sports Foundation (the NSSF has already boasted the change would lead to a 20% increase in firearms exports). NO ONE other than the gun lobby asked for this change. It would make U.S. exports of small arms far more dangerous, by transferring oversight responsibilities to an agency that prioritizes business over national security. The U.S. Congress would also lose its ability to oversee commercial weapons sales of \$1 million or more, which is inane.

# PUBLIC SUBMISSION

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<b>Tracking No.</b> 1k2-93pp-i66b
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List

**Document:** BIS-2017-0004-0040

Public comment 39. Individual. N Logan. 6-14-18

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## Submitter Information

**Name:** nan logan

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## General Comment

I am concerned that international gun sales might be prosscessed through commerc rather than State. Please do what youcan to keep these sales under the State Department's perview.

# PUBLIC SUBMISSION

<b>As of:</b> 6/15/18 11:56 AM
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<b>Status:</b> Posted
<b>Posted:</b> June 15, 2018
<b>Tracking No.</b> 1k2-93pq-tol6
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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List

**Document:** BIS-2017-0004-0041

Public comment 40. Individual. H Fox. 6-14-18

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## Submitter Information

**Name:** Heidi Fox

**Address:**

MA,

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## General Comment

I am in strong opposition to the proposed changes to the United States Munitions List. I was alerted to this proposed rule change by organizations who advocate for sensible gun control legislation domestically. Until we can agree on the definition and categorization of weapons designed for mass destruction and control their production and use domestically, we should not be modifying rules for the oversight of arms manufactured and distributed internationally. These rule changes are one of many ways that ordinary citizens who advocate for broader and stricter gun control are undermined by special interests who know where to target their efforts to relax the definition of weapons designed for war. In light of the recent efforts by the Justice Department to limit those seeking asylum from dangers in their homeland, the change in the rules is as much an immigration issue as it is an arms control issue.

## PUBLIC SUBMISSION

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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List

**Document:** BIS-2017-0004-0042

Public comment 41. Amnesty International USA. A Akwei. 6-14-18

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### Submitter Information

**Name:** Adotei Akwei

**Address:**

600 Pennsylvania Avenue SE  
Suite 500  
Washington, DC, 20003

**Email:** aakwei@aiusa.org

**Phone:** 2025098148

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### General Comment

Please find attached Amnesty International USA's concerns with the proposed changes to CATI-III

Adotei Akwei  
Deputy Director Advocacy and Government Relations  
Amnesty International USA

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### Attachments

Amnesty International USA Comments on CATI-III 06142018



DATE: June 14, 2018

TO: Directorate of Defense Trade Controls  
U.S. Department of State  
DDTCPublicComments@state.gov

and

Regulatory Policy Division  
Bureau of Industry and Security  
U.S. Department of Commerce  
Room 2099B  
14th Street and Pennsylvania Avenue NW  
Washington, DC 20230

FROM: Adotei Akwei, Amnesty International USA, Washington DC

I am writing on behalf of Amnesty International-USA to comment on proposed changes to the *International Traffic in Arms Regulations: U.S. Munitions List Categories I, II, and III* issued by the Department of State and proposed regulations for the *Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)*, both of which were published in the Federal Register on May 24, 2018.

As a global civil society organization focused on the promotion and protection of human rights, Amnesty International does not oppose the arms trade per se but calls for strong legally-binding controls to prevent arms being used for serious violations of international human rights and humanitarian law. We do document

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the human rights impact of the irresponsible arms trade, raising concerns or calling for specific transfers that pose significant human rights risks to be halted.

Our comments and questions about the proposed changes to International Traffic in Arms Regulations and the Export Administration Regulations, thus, are all conveyed with potential human rights consequences in mind. In particular, we are concerned that some of the proposed changes weaken existing controls on transfers, increasing the risk that irresponsible brokers of small arms and light weapons could evade regulation, and arms will be diverted to states or non-state actors with poor human rights records. There is further risk of undermining US laws restricting transfers to foreign military units that have committed gross violations of human rights. Amnesty International has for many years called attention to the risks associated with untrammelled export of small arms and light weapons around the world. These arms have been associated with the deployment of child soldiers and the rise of insurgent groups. They are easier to divert than larger weapons and often end up in the illicit market.

The proposed changes to Categories I-III of the ITAR introduced as part of the Export Control Reform Initiative would transfer some specific and completely operable military-style semi-automatic weapons from the USML to the CCL and thereby affect some statutory controls on what are now considered defense articles. We do not believe that the line drawn between automatic and semi-automatic is as clear as the proposed regulations would suggest, and accordingly we are concerned that the changes would significantly diminish Congressional oversight of the transfer of these weapons.

Below we have elaborated and itemized our concerns for each set of proposed changes.

**Comment on changes to ITAR proposed by Department of State and relevant to the changes proposed for the EAR/CCL.**

1. Our principal concern here is with the risk of proliferation and diversion that could be exacerbated by the transfer of semi-automatic weapons to the CCL from the USML, where such weapons currently meet the statutory definition of “defense article” and are subject to a number of oversight mechanisms. The term “defense article” is used explicitly in several statutes to require controls on brokering, Congressional notification, and inclusion of an item on the US Munitions Import List controlled by the Bureau of Alcohol, Tobacco and Firearms. In addition, semi-automatic weapons are currently included as defense articles in Directorate of Defense Trade Control’s annual 655 report and are currently included, as defense articles, in the definition of security assistance (22USC 2014 and 22 USC 2304). The explanatory text accompanying the rules proposed by the State Department did not comment on the ancillary effect of removing semi-automatic weapons from the USML, but the implied changes are of concern to us. Several of these concerns are elaborated below.
2. Brokering Laws. The proposed changes to Categories I, II and III mean that brokers of semi-automatic weapons and related ammunition will be exempt from registration and licensing that is currently triggered by their inclusion as defense articles on the USML. On many occasions over the past two decades, human rights advocates have called attention to national brokering laws as a weak link in the chain of efforts to curtail illicit market transfers of small arms and light weapons. [See Amnesty International’s 2010 report, “Deadly Movements.”]

Since 1996, US brokering laws have been seen among the strongest in the world. They apply to US agents wherever they are located as well as to foreign nationals operating from within the US; and they cover the full range of facilitating activity—including finance, insurance, transport and

trans-shipment (freight-forwarding). The US statutory provisions on brokering are robust, but their application is directly and specifically linked to the USML. Regulatory authority over brokers in the Export Administration Regulations that house the CCL is without a clear statutory basis. Consequently, we are concerned that moving semi-automatic weapons and related ammunition to the CCL – and simultaneously *removing* them from the USML – will lead to the US government relinquishing its regulatory authority over brokers of these weapons. This is of particular concern because many of the proposed changes to Categories I-III pertain to completely operable weapons or ammunition, and not simply components or software.

We agree with the State Department's past assessment that establishing controls over brokering activity is a major step towards blocking unauthorized and illicit arms transfers that have fueled so many conflicts and serious human rights violations around the world. In some well-known cases, states have been unable to prosecute notorious arms traffickers because local brokering laws were insufficiently robust. We strongly support the current requirement for arms brokers to be registered and licensed before arranging deals to transfer these small but still deadly weapons. For that reason, we oppose transferring semi-automatic weapons and ammunition to the CCL until and unless the continuing application of this requirement can be assured.

3. The proposed changes do not appear to be in line with established Wassenaar Categories I-III. Semi-automatic weapons are included in Wassenaar ML1 explicitly as munitions, with exceptions for smooth bore weapons used in hunting and sporting. From descriptions in the Wassenaar Munitions List, it seems clear that the intention was to differentiate between military and security items, on one hand, and dual-use items on the other. Semi-automatic weapons used by peacekeepers, military, and



police are intended to be controlled as munitions. The proposal to move semi-automatic firearms and large caliber rifles to the 500-series on CCL does not appear to be in line with this designation.

Moreover, we are concerned that the proposed changes may result in increased circulation of plans for non-automatic weapons produced by 3D printing technology, and this may be at odds with Wassenaar expectations, at least with regards to Wassenaar Best Practices Guidelines on Small Arms and Light Weapons. We are concerned about possible weapons proliferation from 3D printing. We took note of the well-publicized 2012 case where the State Department invoked ITAR (and by extension the USML) to oblige a manufacturer to remove plans for a 3D printable gun from the internet. The Fifth Circuit Court upheld the State Department's view that the device in question was a "defense article" covered by ITAR, but we are concerned that the case might have ended differently if the 3D gun were considered a CCL-500 item rather than a defense article included on the US Munitions List. From our perspective, this story illustrates the grave dangers of uncontrolled arms proliferation. The combination of internet dissemination and do-it-yourself 3D production is problematic in that the government has no knowledge of or control over the producer or end-user or the purpose to which the weapons will be put. Permitting such transactions would be a significant step backwards in normative development and contrary to US policy over past 25 years.

4. Registration and End Use Controls (Blue Lantern). The fact that manufacturers (and brokers) of semi-automatic weapons would no longer be required to register before applying for a license presents an additional concern. As we understand it, registration documents often provide regulators with important information during the licensing phase, and we are concerned that under the new rules the regulators at Commerce would not have access to the same background information that DDTC now uses

in the early stages of its monitoring and investigation. Moreover, we are concerned that Blue Lantern investigations would exclude transfers of semi-automatic weapons.

5. Waiting period before implementation. A sufficient amount of time should be allowed for Congress to enact statutory changes to address gaps noted above.

**Additional comments on CCL rules proposed by Department of Commerce.**

6. It appears that the new 500-series number would add specificity to reports required by the UN and the Wassenaar Arrangement, and that would be welcome. However, Amnesty International has concerns about changing the designation of semi-automatic weapons so as to exclude them from consideration as “defense articles,” elaborated in comments to the State Department above.
7. While some of the weapons that are proposed for inclusion on the CCL are commercially available in the US, that is not the case globally and – increasingly—state governments in the US seek to limit their sale. In recent months many commercial outlets have discontinued sales of semi-automatic assault weapons, and the proposed rule goes in the opposite, and wrong, direction. Seventeen American states have proposed a total of 56 bills to regulate or ban the sale of assault weapons in the 2018 legislative season.

8. Amnesty International generally supports strong oversight measures for arms transfers and from that perspective, we welcome detailed digital record-keeping requirements (serial number, model, caliber, and manufacturer) and increased enforcement of end-use controls. However, given the increase in license applications shifted to Commerce combined with the absence of information currently gained through the registration procedure, we are concerned at the likelihood that increased workload without commensurate resources will actually result in less oversight than at present under authority of the State Department.

Thank you for your attention to our concerns.

Sincerely,



Adotei Akwei

Deputy Director Advocacy and Government Relations

Amnesty International USA

600 Pennsylvania Avenue SE Suite 500

Email: [aakwei@aiusa.org](mailto:aakwei@aiusa.org)

Tel: (202) 509-8148

## PUBLIC SUBMISSION

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<b>Submission Type:</b> Unknown

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List

**Document:** BIS-2017-0004-0043

Public comment 42. Individual. L Hageman. 6-11-18

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### Submitter Information

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### General Comment

See Attached

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### Attachments

Public comment 42. Individual. L Hageman. 6-11-18

**Regulatory Policy Division-Ref RIN 0694-AF47**

We fully support the proposed ruling and thank you for your attention to this matter.

LA Hagemann  
519 Turnstone Drive  
Durham NC 27703



*Received by BIS on 5/11/18*

## PUBLIC SUBMISSION

As of: 6/15/18 1:24 PM  
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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List

**Document:** BIS-2017-0004-0044

Public comment 43. Individual. E Williams. 6-5-18

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### Submitter Information

**Name:** Erik Williams

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### General Comment

See Attached

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### Attachments

Public comment 43. Individual. E Williams. 6-5-18

Erick Williams  
1209 Old Hickory  
East Lansing, MI 48823

5 June 2018

Regulatory Policy Division  
Bureau of Industry and Security  
U.S. Department of Commerce  
Room 2099B  
14th Street and Pennsylvania Avenue, NW,  
Washington, DC 20230

Re: RIN 0694-AF47

Greetings:

I am opposed to the proposed rule relaxing export controls on military-style weapons.

Please consider police officers, especially those in allied countries. Police officers do their work in the community, not behind the perimeters of military bases. In some troubled communities, officers are targeted by armed groups using weapons purchased on the small arms market. In some countries (like Pakistan) police officers die at a higher rate than soldiers.

The last thing we need is more .50-caliber sniper rifles being sold to terrorists. Please reconsider this rule.

Sincerely,

A handwritten signature in black ink that reads "Erick Williams". The signature is written in a cursive, flowing style.

Erick Williams

## PUBLIC SUBMISSION

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**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List

**Document:** BIS-2017-0004-0045

Public comment 44. Individual. B Root. 6-11-18

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### Submitter Information

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### General Comment

See Attached

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### Attachments

Public comment 44. Individual. B Root. 6-11-18



June 11, 2018

From: Bill Root, billroot23@gmail.com; tel 517 333 8707  
To: DDTCPublicComments@state.gov; and  
BISPublicComments@bis.doc.gov  
Subject: ITAR Amendment Categories I, II, and III and  
Related EAR Amendment RIN 0694-AF47

These comments relate the combined ITAR and EAR amendments to USG commitments to multilateral controls. Each of 33 numbered topics is listed in the order that topic appears in the Wassenaar Munitions List (WML). It is then subdivided into three parts, with the following number of examples:

- a 27 US and multilateral texts are either identical or substantially equivalent;
  - b 74 US controls omit what WML controls (or WML omits US decontrols); and
  - c 165 WML omits what US controls (or US omits WML decontrols).
- Part b should either be added to US controls or the US should seek removal from WML controls. Part c should either be deleted from US controls or be proposed by the US to be added to WML.

These three parts omit second order impacts. For example, the number of differences between WML and US would increase exponentially if each difference in a weapon item was counted again when tallying the differences for ammunition, each of the types of components, production equipment, software, and technology related to that weapon difference.

The above a,b,c differences omit 16 examples of "and specially designed components therefor," which should be deleted from the proposed revised USML for consistency with the Export Control Reform intent to transfer insignificant items to the CCL (identified in topic 31 below).

These comments assume deletion of "specially designed" wherever it appears; use of "required" for software and technology; and a definition of "components" to include parts, accessories, attachments, and associated equipment.

**1. Caliber**

WML 1 Smooth-bore weapons with a caliber of less than 20 mm, other arms and automatic weapons with a caliber of 12.7 mm (caliber 0.50 inches) or less, as follows

*Note: WML 1 does not apply to:*

- a Firearms for dummy ammunition incapable of discharging a projectile;*
- b Firearms to launch tethered projectiles having no high explosive charge or communications link, to a range of less than or equal to 500 m;*
- c Weapons using non-center fire cased ammunition not fully automatic;*
- d Deactivated weapons*

- a Rifles and combination guns, handguns, machine, sub-machine and volley guns*

*Note: WML 1.a does not apply to:*

- a Rifles and combination guns, manufactured earlier than 1938;*
- b Reproductions of rifles and combination guns, the originals of which were manufactured earlier than 1890;*
- c Handguns, volley guns and machine guns, manufactured earlier than 1890 and their reproductions;*
- d Rifles or handguns to discharge an inert projectile by compressed air or CO<sub>2</sub>.*

- b Smooth bore weapons as follows:*

- b1 for military use*
- b2 other smooth-bore weapons as follows:*
- b2a fully automatic;*
- b2b semi-automatic or pump-action*

*Note: WML 1.b.2 does not apply to weapons to discharge an inert projectile by compressed air or CO<sub>2</sub>*

*Note: WML 1.b does not apply to:*

- a Smooth-bore weapons manufactured earlier than 1938;*
- b Reproductions of smooth-bore weapons, the originals of which were manufactured earlier than 1890;*
- c Smooth-bore weapons used for hunting or sporting purposes. These weapons must not be for military use or of the fully automatic firing type;*
- d Smooth-bore weapons for:*
  - d1 Slaughtering of domestic animals;*
  - d2 Tranquilizing of animals;*
  - d3 Seismic testing;*
  - d4 Firing of industrial projectiles; or*
  - d5 Disrupting Improvised Explosive Devices (IEDs).*

*N.B. For disruptors, see WML 4 and I.A.6 on the Dual-Use List.*

WML 2 Smooth-bore weapons with a caliber of 20 mm or more, other weapons or armament with a caliber greater than 12.7 mm (caliber 0.50 inches), projectors ... as follows

a Guns, howitzers, cannon, mortars, anti-tank wapons, projectile launchers, ... rifles, recoilless rifles, smooth-bore weapons ...

*Note 2: WML 2.a does not apply to weapons as follows:*

a *Rifles, smooth-bore weapons and combination guns, manufactured earlier than 1938;*

b *Reproductions of rifles, smooth-bore weapons and combination guns, the originals of which were manufactured earlier than 1890;*

c *Guns, howitzers, cannons, mortars, manufactured earlier than 1890;*

d *Smooth-bore weapons used for hunting or sporting purposes. These weapons must not be for military use or of the fully automatic firing type;*

e *Smooth-bore weapons for any of the following:*

e1 *Slaughtering of domestic animals;*

e2 *Tranquilizing animals;*

e3 *Seismic testing;*

e4 *Firing of industrial projectiles;*

e5 *Disrupting Improvised Explosive Devices (IEDs);*

NB *For disruptors, see WML 4 and 1.A.6 on the Dual-Use List.*

USML 1.b Fully automatic firearms to .50 caliber (12.7 mm) inclusive

USML 1.d Fully automatic shotguns regardless of gauge.

USML 11.a Guns and armament greater than .50 caliber (12.7 mm), as follows:

a1 Guns, howitzers, artillery, and cannons;

a2 Mortars;

a3 Recoilless rifles;

a4 Grenade launchers; or

a5 Development guns and armament greater than .50 caliber (12.7 mm) funded by DOD

*Note 1: a5 does not control greater than .50 caliber*

a *in production;*

b *subject to EAR; or*

c *being developed for both civil and military applications*

*Note 2: Note 1 to a5 does not apply to USML items, whether in production or development.*

- 0A501.a Non-automatic and semi-automatic firearms of caliber less than or equal to .50 inches (12.7 mm)
- 0A501.b Non-automatic and non-semi-automatic rifles, carbines, revolvers, or pistols with a caliber greater than .50 inches (12.7 mm) but less than or equal to .72 inches (18.0 mm)
- 0A602.a Guns and armament manufactured between 1890 and 1919.

### **1a Caliber US identical to WML**

- 1-5 WML 2.a/USML II.a1-3 guns, howitzers, cannon, mortars, and recoilless rifles greater than .50 caliber

### **1b Caliber US Omissions from Multilateral Controls**

- 1 US omits WML 1 semi-automatic smooth bore caliber from 12.7 mm to 20 mm.
- 2 US omits WML non-automatic smooth bore caliber from 18 mm to 20 mm.
- WML 2a rifles greater than .50 caliber is broader than:
- 3 0A501.b, which is limited to non-automatic and non- semi-automatic rifles, carbines, revolvers, or pistols between caliber .50 and .72; and
- 4,5 USML II.a5 (and Notes 1 and 2) which applies to developmental guns funded by DOD but not if in production or being developed for both civil and military application;
- 6-10 US omits explicit WML 1.a mention of combined guns, handguns, machine, sub-machine and volley guns
- WML covers more than US by the following differences in decontrols in:
- 11 WML 1a Note b or 1b2 Note vs. Note 1 to 0A501  
(Rifles or handguns) (weapons) specially designed to discharge an inert projectile by compressed air or CO2 omit portions of BB guns, pellet rifles, paint ball, and all other air rifles
- 12-14 WML 1b Note a and b and 2a Note 2 a and b vs. 0A501 Note 1
- a (Smooth bore weapons) (Rifles, smooth-bore weapons and combination guns) manufactured earlier than 1938;
- b Reproductions of (smooth-bore weapons) (rifles, smooth-bore weapons and combination guns), the originals of which were manufactured earlier than 1890 omit portions of "antique firearms manufactured before 1890 and reproductions thereof, muzzle loading black powder firearms except those designs based on centerfire weapons of a post 1937 design"
- 15,16 WML 2.a anti-tank weapons and projectile launchers.

**1c Caliber Multilateral Omissions from US Controls**

- 1 WML omits USML I(d) fully automatic shotguns more than .50 caliber.
- 2-4 WML omits 0A501.b explicit mention of carbines, revolvers, or pistols
- 5-17 US covers more than WML by omission of decontrols in Notes for WML1, WML 1.a, WML 1.b.2, WML 1.b, including US covers more than WML by the following differences in decontrols in:
  - a 0A501 Note 1 vs. WML 1a Note b or 1b2 Note:  
(BB guns, pellet rifles, paint ball, and all other air rifles omit portions of (rifles or handguns) (weapons) to discharge an inert projectile by compressed air or CO2
  - b 0A501 Note 1 plus 0A602.a vs. WML 1b Note a and b:  
US decontrol of antique firearms manufactured before 1890 and reproductions thereof, muzzle loading black powder firearms except weapons of a post 1937 design;
  - c 0A602.a guns and armament manufactured between 1890 and 1919 omits portions of WML decontrol of
    - 1 Smooth bore weapons manufactured earlier than 1938;
    - 2 Reproductions of smooth-bore weapons, the originals of which were manufactured earlier than 1890

**2. Firearms using caseless ammunition**

WML 1.c weapons using caseless ammunition  
 USML 1.a firearms using caseless ammunition

**2a Firearms using caseless ammunition substantially equivalent**

6 WML 1/USML 1.a

**3. Firearms to integrate**

USML 1.c Firearms to integrate fire control, automatic tracking, or automatic firing

**3c Firearms to integrate Multilateral Omissions from US Controls**

18 WML omits USML 1.c

**4. Detachable**

WML 1.d detachable cartridge magazines

WML 2.d detachable cartridge magazines

USML III.a7 Ammunition for fully automatic firearms or guns that fire superposed or stacked projectiles

0A501.d Detachable magazines with a capacity of greater than 16 rounds for 0A501.a or .b

**4b Detachable US Omissions from Multilateral Controls**

17 WML 1.d and 2.d are broader than USML III.a7 or 0A501.d.

**4c Detachable Multilateral Omissions from US Controls**

19 WML omits USML III.a7

**5. Sound suppressors**

WML 1.d ... sound suppressors or moderators ... for WML 1.a, b, c.

USML I.e Silencers, mufflers, and sound suppressors ...



**5a. Sound suppressors US Omissions from Multilateral Controls**

7 WML 1.d/USML 1.e Sound suppressors

**5b. Sound suppressors US Omissions from Multilateral Controls**

18 WML 1.d Sound moderators

**5c. Sound suppressors Multilateral Omissions from US Controls**

20 USML 1.e Silencers, mufflers

21 USML 1.e Sound suppressors for other than USML I

**6. Mounts**

WML 1.d ... gun mountings for WML 1.a,b,c,

WML 2.c ... weapon sight mounts for military use and for WML.2a;

WML 2.d Mountings ... for WML 2.a,

USML II.h3 ... automatically stabilize aim (other than gun rests).

USML II.j9i Mounts for independently powered ammunition handling systems

0A501.c ... mounting blocks (trunnions) ...

**6b. Mounts US Omissions from Multilateral Controls**

19-21 WML 1.d, 2.c, 2d are broader than USML II.h3, j9i, and 0A501.c

**6c. Mounts Multilateral Omissions from US Controls**

22-23 USML II.h3, j9i, and 0A501c omit for I or II or military use.,

**7. Optical weapon sights**

WML 1.d ... optical weapon-sights ... for WML 1.a,b,c, except without electronic image processing, with a magnification of 9 times or less, provided not for military use or incorporate any reticles for military use.

WML 2.c Weapons sights ... for military use and for ML 2.a

USML II.j2 Sights to orient indirect fire weapons

0A501.y3 Iron sights

0A504 Optical sighting devices for firearms and components as follows:

- a Telescopic sights;
- b Holographic sights;
- c Reflex or "red dot" sights;
- d Reticle sights;
- e Other sighting devices that contain optical elements;
- f Laser aiming devices or laser illuminators for use on firearms, and having an operational wavelength exceeding 400 nm but not exceeding 710 nm, except laser boresighting devices that must be placed in the bore or chamber to provide a reference for aligning the firearms sights.
- g Lenses, other optical elements and adjustment mechanisms for articles in a,b,c,d,e, or i.
- i Riflescopes that were not "subject to the EAR" as of (DATE ONE DAY PRIOR TO THE EFFECTIVE DATE OF THE FINAL RULE) and are for use in firearms that are "subject to the EAR."

**7b. Sights US Omissions from Multilateral Controls**

22,23 WML 1.d and 2.c omit technical limits in USMLII.j2, 0A501.y3, or 0A504.a-i

**7c. Sights Multilateral Omissions from US Controls**

25-34 USML II.j2, 0A501.y3, and 0A504.a-1 omit WML 1.d for WML 1.a,b,c or WML 2.c for WML 2.a

**8. Flash suppressors**

WML 1.d ... flash suppressors

USML II.e muzzle flash suppression devices

**8b. Flash suppressors US Omissions from Multilateral Controls**

24 WML 1.d omits USML II.e "muzzle"



**9. Flame throwers**

WML 2.a ... military flame throwers

USML II.b Flame throwers with a minimum effective range of 20 meters (i.e., whether or not military) plus

0A602.b Military flame throwers with an effective range less than 20 meters

**9c Flame throwers Multilateral Omissions from US Controls**

35 US is broader by covering non-military with minimum 20m range.

**10. Discharge type and administer electric shock**

0A503 Discharge type arms, non-lethal or less-lethal grenades and projectiles, ... and devices to administer electric shock

**10c. Discharge type and administer electric shock Multilateral Omissions from US Controls**

36 WML omits 0A503

**11. Signature reduction**

WML 2.a ... signature reduction devices for 2.a  
USML II.e: Signature reduction devices for II a, b, or d

**11a Signature reduction substantially equivalent**

8 WML 2.a/USML II.e

**12. Liquid propelling charges**

WML 2.a Note 1: WML 2.a includes injectors, metering devices, storage tanks and other components for liquid propelling charges for WML 2.a

**12b. Liquid propelling charges US Omissions from Multilateral Controls**

25-28 US omits WML 2.a Note 1

**13. Smoke and flares**

WML 2.b Smoke ... projectors or generators for military use

III.d14 Illuminating flares ...  
1A984 ... non-irritant smoke flares

**13b. Smoke and flares US Omissions from Multilateral Controls**

29,30 US omits WML 2.b smoke projectors or generators

**13c Smoke and flares Multilateral Omissions from US Controls**

37 WML omits III.d14 illuminating flares  
28 WML omits 1A984 non-irritant smoke flares

**14. Gas**

WML 2.b ... gas ... projectors or generators and  
WML 7.e Equipment ... for the dissemination of ... chemical agents

USML XIV.fl Equipment for the dissemination of chemical agents.  
1A607.c Equipment for dissemination of riot control agents

**14a Gas identical**

WML 7.e/USML XIV.fl and 1A607.c

**14b Gas US Omissions from Multilateral Controls**

31,32 US omits WML 2.b projectors or generators

**15. Pyrotechnic**

WML 2.b ... pyrotechnic projectors or generators for military use

USML III.a6 Ammunition employing pyrotechnic material in the projectile base ...  
d1 Projectiles that use pyrotechnic tracer materials that incorporate any material  
having peak radiance above 710 nm ...;

1A984 ... pyrotechnic articles (excluding shotgun shells, unless the shotgun shells contain  
only chemical irritants) having dual military and commercial use;

**15b Pyrotechnic US Omissions from Multilateral Controls**

WML 2.b is broader than 1A984 because:

33 WML omits US exclusion from pyrotechnic articles; and

34 US crime control reason is less restrictive than US national security reason applied to  
other WML- controlled items.

**15c Pyrotechnic Multilateral Omissions from US Controls**

1A984 is broader than WML 2.b because:

39 articles is broader than projectors or generators; and

40 dual military and commercial use is broader than military use

41,42 pyrotechnic material omitted from WML

**16. Signal**

WML 2.b Note WML 2.b does not apply to signal pistols  
0A503 decontrol arms solely for signal ...use

**16b Signal US Omissions from Multilateral Controls**

35 0A503 “solely” decontrol is narrower than WML 2.b Note decontrol

**17. Kinetic energy**

WML III.a Ammunition for weapons specified by ... WML 12  
WML 12.a Kinetic energy weapon systems for destruction or effecting mission abort of a target  
USML II.d kinetic energy weapon systems for destruction or rendering mission-abort of a target .

WML 12 Note I.c. WML 12 includes ... target acquisition, tracking, fire control or damage assessment systems  
USML II.j15 Kinetic energy weapon target acquisition, tracking fire control, and damage assessment systems

**17a Kinetic energy substantially equivalent**

10 WML 12.a/USML II.d  
11 WML 12 Note I.c/USML II.j15

**18. Metal or plastic**

WML 3 Note 1a      WML 3 includes metal or plastic fabrications ...

USML III.a5      Ammunition, except shotgun ammunition, based on non-metallic cases, or non-metallic cases that have only a metallic base, which result in a total cartridge mass 80% or less than the mass of a brass- or steel-cased cartridge that provides comparable ballistic performance

d1      Projectiles that use pyrotechnic tracer materials that incorporate any material having peak radiance above 710 nm or are incendiary, explosive, steel tipped, or contain a core or solid projectile produced from one or a combination of the following: tungsten, steel, or beryllium copper alloys;

d6      Hardened cores, regardless of caliber, produced from one or a combination of the following: tungsten, steel, or beryllium copper alloy;

d8      Non-metallic cases, including cases that have only a metallic base, for III.a5;

0A505.x Note 2      0A505.x includes ... metallic cartridge cases, and standard metallic projectiles such as full metal jacket, lead core, and copper projectiles.

**18b. Metal or plastic parts US Omissions from Multilateral Controls**

36,37      WML 3 Note 1.a omits limits in USML III.a5, d1, d6, d8

**18c. Metal or plastic parts Multilateral Omissions from US Controls**

43,44      USML III.a5 and d8 non-metallic is broader than WML 3 Note 1a plastic

**19. Primer**

WML 3 Note 1.a ...WML 3 components include primer anvils

USML III.d10 Primers other than Boxer, Bordan, or shotshell types

Note: III.d10 does not control caps or primers of any type in use prior to 1890.

0A505.x Note 2 05A505.x includes Bordan and boxer primers.

**19b. Primer Multilateral Omissions from US Controls**

38      US omits primer WML 3 primer anvils

**19c. Primer US Omissions from Multilateral Controls**

45,46      WML omits USML III.d10 and 0A505.x primers

**20. Cartridge links and belts**

WML 3 Note 1.a WML 3 includes ...cartridge links for WML 1, 2, or 12

USML III.a2 Ammunition preassembled into links or belts;

USML III.d9 Cartridge links and belts for fully automatic firearms controlled in USML I or II

**20b. Cartridge links and belts US Omissions from Multilateral Controls**

39,40 US omits cartridge links for non-automatic or semi-automatic firearms...

**20c. Cartridge links and belts Multilateral Omissions from US Controls**

47 WML omits ammunition preassembled into links or belts

**21. Anvils, bullet cups, rotating bands**

WML 3 Note 1.a anvils, bullet cups, rotating bands

**21b. Anvils, bullet cups, rotating bands US Omissions from Multilateral Controls**

41-43 US does not control anvils, bullet cups, or rotating bands

**22 Safing**

WML 3.a Note 1.b Safing and arming devices, fuzes, sensor and initiation devices

MTCR 2A1f Weapon or warhead safing, arming, fuzing, and firing mechanisms ...

USML III.d11 Safing, arming, and fuzing components (to include target detection and proximity sensing devices) for the ammunitions in this category

USML IV.h9 Missile and rocket safing, arming, fuzing, and firing (SAFF) components (to include target detection and proximity sensing devices)

**22a Safing substantially equivalent**

12-15 safing, arming, fuzing, firing WML 3a Note 1b, MTCR 2A1f/USML III.d11, IV.h9

**22c. Safing Multilateral Omissions from US Controls**

48,49 WML and MTCR omit US target detection and proximity sensing devices

**23. Power supplies**

WML 3 Note 1.c power supplies with high one-time operational output

USML II.j14 Prime power generation, energy storage, thermal management, conditioning, switching, and fuel-handling equipment, and the electrical interfaces between the gun power supply and other turret electric drive components of II.d kinetic weapons

3A226 High-power direct current power supplies producing over 8 hours 100 V or greater with current output of 500 A or greater and current or voltage stability better than 0.1% over 8 hours

3A227 High-voltage direct current power supplies producing over 8 hours 20 kV or greater with current output of 1A or greater and current or voltage stability better than 0.1% over 8 hours.

**23b. Power supplies US Omissions from Multilateral Controls**

44 WML 3 Note 1.c is broader than USML II.j14 and 3A226 and 3A227 by omitting US limits on one time operational output

**23c. Power supplies Multilateral Omissions from US Controls**

50 USML II.j14 includes power supply features other than WML 3 Note 1.c output

**24. Combustible cases**

WML 3 Note 1.d combustible cases for charges

USML III.d7 ... combustible cases for USML II

**24b. Combustible cases US Omissions from Multilateral Controls**

WML 3 Note 1.d for charges is broader than USML III.d7for USML II



**25. Submunitions and terminal guidance**

WML 3 Note 1.e Submunitions including bomblets, minelets and terminally guided projectiles for WML 1, 2, or 12

USML III.d4 Projectiles ... guided or unguided for USML II

USML III.d5 ... sub-munitions (e.g., bomblets or minelets) ...for USML II

USML III.j13 Terminal seeker assemblies for category III

7A611 Military fire control, laser, imaging , and guidance equipment, as follows:

- a Guidance or navigation systems, not elsewhere specified on the USML, that are for a defense article on the USML or a 600 series item;
- x Components, including accelerometers, gyros, angular rate sensors, gravity meters (gravimeters), and inertial measurement units (IMUs), that are for USML XII or 7A611, and that are NOT:
  - x1 in the USML or elsewhere within 7A611;
  - x2 Described in 6A007, 6A107, 7A001, 7A002, 7A003, 7A101, 7A102, or 7A103; or
  - x3 Elsewhere specified in 7A611,y or 3A611,y.

**25a Submunitions and terminal guidance substantially equivalent**

16-18 WML 3 Note 1.e for WML 2 or 12/USML III.d4,5 for II

**25b Submunitions and terminal guidance US Omissions from Multilateral Controls**

WML 3 Note 1.e terminally guided projectiles for WML 1, 2, or 12 is broader than USML III.d4,5 only for II or 7A611 only for USML or 600 series. .

**26. Electromagnetic**

USML III.a8 Electromagnetic armament projectiles or billets for weapons with a design muzzle energy exceeding 5 MJ

**26.b Electromagnetic US Omissions from Multilateral Controls**

50 WML omits USML III.a8



**27 Useless cartridge and shell casings**

USML III Note 2 decontrol cartridge and shell casings rendered useless

**27b Useless cartridge and shell casings US Omissions from Multilateral Controls**

51 WML omits USML III Note 2 (WML 1 Note 1.d "Deactivated Firearms" does not apply to ammunition)

**28 Shotgun shells**

0A505.b Buckshot (No.4 .24" diameter and larger) shotgun shells

0A505.c Shotgun shells (including less than lethal rounds) that do not contain buckshot

1A984 Shotgun shells that contain chemical irritants

**28c Shotgun shells Multilateral Omissions from US Controls**

51-53 WML omits 0A505.b,c and 1A984 shotgun shells

**29 Blank and dummy ammunition**

WML 3 Note 2 c decontrol blank and dummy ammunition not incorporating components for live ammunition

0A505.d Blank ammunition for 0A501

**29c Blank and dummy ammunitions Multilateral Omissions from US Controls**

54 US omits WML 3 Note 2.c decontrol

55 WML omits 0A505.d

**30 Fuse setting devices**

WML 3b Fuse setting devices for WML 3a ammunition for WML 1, 2, or 12

USML III.b2 Fuze setting devices for USML III ammunition

**30a Fuse setting devices substantially equivalent**

19 WML 3.b/USML III.b2

**31 Other Components**

WML 1, 2, 3 headings each control specially designed components for 1, 2, 3 sub-tems. These are matched by 0A501.x, 0A505.x, and 0A602.x, except for the following 16 examples of specially designed parts and components in proposed USML I, II, III: I.e, I.h1, I.h3, II.a5, II.j4, II.j5, II.j10 II.j13, II.j14, II.j15, III.a10, III.d4, III.d5, III.d11, III.d12, III.d13.

It is recommended that "and specially designed parts and components therefor" be deleted from I.e, I.h1, I.h3, II.a5, II.j4, II.j5, II.j10 II.j13, II.j14, II.j15, III.a10, III.d4, III.d5, III.d11, III.d12, and III.d13

**31a Other components substantially equivalent**

20-22 WML 1, 2, 3/0A501.x, 0A505.x, 0A602.x (after 16 deletions from USML recommended above)

**31c Other components Multilateral Omissions from US Controls**

56-124 The other USML I, II, III and 0A501-0A505 components not examined above are:

- USML I.g Barrels, receivers (frames), bolts, bolt carriers, slides, or sears for USML I...b ...;
- h1 Drum and other magazines for firearms to .50 caliber with a capacity greater than 50 rounds, regardless of jurisdiction of the firearm;
- h2 Parts and components for conversion of a semi-automatic firearm to a fully automatic firearm;
- USML II.j1 Gun barrels, rails, tubes, and receivers ...;
- j3 Breech blocks;
- j4 Firing mechanisms;
- j6 Servo-electronic and hydraulic elevation adjustment;
- j7 Muzzle brakes;
- j8 Bore evacuators;
- j9 Independently powered ammunition handling and platform interface as follows:
- j9i Carriages;
- j9iii Gun pallets;
- j9iv Hydro-pneumatic equilibration cylinders; or
- j9v Hydro-pneumatic systems scavenging recoil energy to power howitzer functions;
- j10 Recoil systems to mitigate the shock associated with the firing process of guns integrated into air platforms;
- j11 Independent ammunition handling;
- j12 Ammunition containers/drums, chutes, conveyor elements, and ammunition container/drum entrance and exit units;
- j13 Aircraft/gun interface units with rate of fire greater than 100 rounds per minute;
- j16 Classified
- USML III.d3 projectiles of any caliber produced from depleted uranium;
- d6 Hardened cores, regardless of caliber, produced from one or a combination of the following: tungsten, steel, or beryllium copper alloy;
- d15 Classified
- 0A501.c Barrels, cylinders, barrel extensions, ... bolts, bolt carriers, operating rods, gas pistons trigger housings, triggers, hammers, sears, disconnectors, pistol grips that contain fire control parts or components (e.g., triggers, hammers, sears, disconnectors) and buttstocks that contain fire control parts or components for 0A501.a or .b or USML I unless listed in I.g or .h
- e Receivers (frames) and complete breech mechanisms, including castings, forgings or stampings thereof for 0A501.a or .b
- 0A502 Shotguns, complete trigger mechanisms, magazines and magazine extension tubes, complete breech mechanisms, except equipment used exclusively to treat or tranquilize animals
- 0A505.x Note 3 The controls on parts and components in 0A505.x include those parts and components that are common to ammunition and ordnance described in 0A505.x and to USML III

**32 Production**

WML 18.a ... equipment for the production of WML 1, 2, 3  
 WML 18.b ... environmental test facilities and equipment therefor, for the certification, qualification or testing of WML

Note WML 18.a and .b include:

- a Continuous nitrators
- b Centrifugal testing ...
- c Dehydration presses
- d Screw extruders for military explosive extrusion
- e Cutting machines for sizing of extruded propellants
- f Sweetie barrels (tumblers) 1.85 m or more in diameter and having over 227 kg product capacity
- g Continuous mixers for solid propellants
- h Fluid energy mills for grinding or milling the ingredients of military explosives
- i Equipment to achieve both sphericity and uniform particle size in metal powder listed in WML 8.c.8 (aluminum powder particle size 60 micrometer or less)
- j Convection current converters for the conversion of materials listed in WML 8.c.3 (carboranes, decaborane, pentaboranes and their derivatives)

0B501 Test, inspection, and production commodities for development or production of 0A501 or USML I, as follows:

- a Small arms chambering machines
- b Small arms deep hole drilling machines and drills therefor
- c Small arms rifling machines
- d Small arms spill boring machines
- e Dies, fixtures, and other tooling

0B505 Test, inspection, and production commodities for development or production of 0A505 or USML III, as follows:

- a Tooling, templates, jigs, mandrels, molds, dies, fixtures, alignment mechanisms, and test equipment, not USML III\* for production of 0A505.a or .x or USML III  
 \* No such items in proposed USML III
- b Equipment for production of 0A505.b
- c Equipment for production of 0A505.c
- d Equipment for production of 0A505.d
- x components for 0B505.a

- 0B602 Test, inspection, and production commodities for development or production of 0A602 or USML II
  - a1 Gun barrel rifling and broaching machines and tools therefor
  - a2 Gun barrel rifling machines
  - a3 Gun barrel trepanning machines
  - a4 Gun boring and turning machines
  - a5 Gun honing machines of 6 feet stroke or more
  - a6 Gun jump screw lathes
  - a7 Gun rifling machines
  - a8 Gun straightening presses
  - b Jigs and fixtures and other metal-working implements for manufacture of 0A602 or USML II
  - c Other tooling and equipment for production of 0A602 or USML II
  - d Test and evaluation equipment and test models, including diagnostic instrumentation and physical test models for 0A602 or USML II
- 1B608.c Environmental test facilities for certification, qualification, or testing of 1C608 or USML V

### **32a Production substantially equivalent**

- 23 WML 18.a for WML 2/0B602.c
- 24 WML 18.b/1B608.c

### **32b Production US Omissions from Multilateral Controls**

- 52, 53 WML 18.a for WML 1 and 3 is broader than 0B501, 0B505, because "include" in WML 18.a Note makes a-j only non-definitive examples, whereas 0B501 controls only a-e and 0B505 controls only a-d and x.
- 54-63 US omits WML 18.a Note a-j
- 64-66 US omits WML 18.b for WML 1, 2, 3

### **32c Production Multilateral Omissions from US Controls**

- 125-164 WML omits:  
test and inspection in 0B501, 0B505, 0B602  
development in 0B501 and 0B505  
0B501.a-e, 0B505.,a-d, x, 0B602.a1-8, b, d



**33 Software and Technology****WML 21 Software for:**

- a1 development, production, operation, or maintenance of WML equipment
- a2 development or production of WML material
- a3 development, production, operation or maintenance of WML software
- b1 military use and modelling, simulating or evaluating military weapon systems
- b2 military use and modeling or simulating military operational scenarios
- b3 determining the effects of conventional ... weapons
- c enabling equipment not WML-controlled to perform military functions of WML-controlled equipment.

**WML 22 Technology for**

- a development, production, operation, installation, maintenance (checking), repair, overhaul, or refurbishing of WML-controlled items.  
*Note 1: development, production, operation, installation, maintenance (checking), repair, overhaul, or refurbishing of WML-controlled items remains under control even when applicable to any item not WML-controlled.*
- b1 design, assembly, operation, maintenance, or repair of complete installations for WML-controlled items, even if the components of such production installations are not WML-controlled
- b2 development or production of small arms, even if used to produce reproductions of antique small arms  
*Note 2 WML 22 does not apply to:*
  - a Technology that is the minimum necessary for the installation, operation, maintenance (checking), or repair of items not WML-controlled or whose export has been authorized
  - b Technology that is "in the public domain," "basic scientific research," or the minimum necessary information for patent applications.

USML I.i Technical data and defense services for I.a,b,d,e,g,h or classified 0A501, 0B501, 0D501, 0E501

USML II.k Technical data and defense services for II.a,b,d,e,f or classified 0A602, 0B602, 0D602, 0E602

USML III.e Technical data and defense services for III.a,b,d or classified 0A505, 0B505, 0D505, 0E505.

0D501 Software for development, production, operation, or maintenance of 0A501 or 0B501.

0D505 Software for development, production, operation, or maintenance of 0A505 or 0B505.

0D602 Software for development, production, operation, or maintenance of 0A602 or 0B602.

0E501 Technology for development, production, operation, installation, maintenance, repair, or overhaul of 0A501 or 0B501, as follows:

- a Technology for development or production of 0A501 (other than 0A501.y) or 0B501;
- b Technology for operation, installation, maintenance, repair, or overhaul of 0A501 (other than 0A501.y) or 0B501.

0E502 Technology for development or production of 0A502.

0E504 Technology for development or production of 0A504 that incorporate a focal plane array or image intensifier tube.

0E505 Technology for development, production, operation, installation, maintenance, repair, overhaul, or refurbishing of 0A505.

0E602 Technology for development, production, operation, installation, maintenance, repair, overhaul, or refurbishing of 0A602 or 0B602, or 0D602

0E982 Technology for development or production of ... 0A503

**33a Software and technology substantially equivalent**

25-27 WML21a1,2, WML 22a/USML II,III,IIIe. 0D501,5, 602, 0E501,2,5, 602, 982

**33b Software and technology US Omissions from Multilateral Controls**

67-74 WML21a3,b1-3,c, WML22aNote 1, b1,2

**33c Software and technology Multilateral Omissions from US Controls**

165 0E504





# PUBLIC SUBMISSION

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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0050

Public comment 45. Anonymous. 6-4-18

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## Submitter Information

**Name:** Anonymous Anonymous

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## General Comment

I am submitting this comment in strong opposition to the proposed rule to transfer oversight of non-military firearms exports from the State Department to the Commerce Department. This proposed rule has one purpose and one purpose only: to garner profits for a U.S. gun industry that is faring poorly domestically. It comes after a multi-year lobbying campaign by the NRA and National Shooting Sports Foundation (the NSSF has already boasted the change would lead to a 20% increase in firearms exports). NO ONE other than the gun lobby asked for this change. It would make U.S. exports of small arms far more dangerous, by transferring oversight responsibilities to an agency that prioritizes business over national security. The U.S. Congress would also lose its ability to oversee commercial weapons sales of \$1 million or more, which is inane. Im also disgusted by the rules attempts to legitimize semiautomatic assault rifles as civilian products when these battlefield weapons have stolen so many of our loved ones from us.

# PUBLIC SUBMISSION

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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0051

Public comment 46. Anonymous. 6-4-18

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## Submitter Information

**Name:** Anonymous Anonymous

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## General Comment

I would like to offer my comment in absolute opposition to the proposed rule to transfer oversight of non-military firearms exports from the State Department to the Commerce Department. To me, this rule has profits for gun industry written all over it. Perhaps that's because the U.S. gun manufacturers are not doing well domestically. NO ONE other than the gun lobby asked for this change. It would make U.S. exports of small arms far more dangerous, by transferring oversight responsibilities to an agency that prioritizes business over national security. The U.S. Congress would also lose its ability to oversee commercial weapons sales of \$1 million or more, which is inane. I'm also disgusted by the rule's attempts to legitimize semiautomatic assault rifles as civilian products when these battlefield weapons have stolen the lives of so many of our fellow Americans. If your agency approves this blatant corporate giveaway, I will do everything in my power to hold your leadership accountable for the resulting bloodshed that occurs globally. That will include advocating against your budget priorities across-the-board until a new administration cleans house.

# PUBLIC SUBMISSION

<b>As of:</b> 6/20/18 4:35 PM
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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0053

Public comment 47. Individual. E Cabell. 6-5-18

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## Submitter Information

**Name:** Elizabeth Cabell

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## General Comment

I am writing to submit my comment in opposition to the proposed rule to transfer oversight of non-military firearms exports from the State Department to the Commerce Department. This proposed rule appears to have just one purpose: to garner profits for a U.S. gun industry to offset reductions in domestic sales. It comes after a multi-year lobbying campaign by the NRA and National Shooting Sports Foundation (the NSSF has already boasted the change would lead to a 20% increase in firearms exports). NO ONE other than the gun lobby asked for this change; it has not been supported by any citizen groups. Transferring oversight responsibilities to an agency that prioritizes business over national security would make U.S. exports of small arms, including semi-automatic weapons, would be very dangerous to other countries of the world. The U.S. Congress would also lose its ability to oversee commercial weapons sales of \$1 million or more, which represents an unfortunate loss of important monitoring. I also find the rules attempts to legitimize semiautomatic assault rifles as civilian products, when these battlefield weapons have stolen so many of our loved ones from us, to be appalling. If your agency approves this blatant corporate giveaway, I will do everything in my power to hold your leadership accountable for the resulting bloodshed that occurs globally.

# PUBLIC SUBMISSION

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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0054

Public comment 48. Individual. L McElroy. 6-5-18

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## Submitter Information

**Name:** Lisa McElroy

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## General Comment

I strongly oppose the proposed rule to transfer oversight of "non-military" firearms exports from the State Department to the Commerce Department. This proposal benefits the gun lobby and has come about after years of lobbying by the NRA and the NSSF. By transferring oversight responsibilities to an agency that prioritizes business over national security, this proposal would make U.S. exports of small arms more dangerous. Congress would lose its ability to oversee commercial weapons sales of \$1 million or more. This rule would also legitimize semiautomatic assault rifles, labeling them "civilian" products when these battlefield weapons have taken so many loved ones--innocent people at school, at church, at the movies, in a nightclub. This proposed rule is only in place to garner profits for the U.S. gun industry overseas--a cynical money grab that would be deadly for innocent people. Do the right thing--say no to this proposal and protect lives.

# PUBLIC SUBMISSION

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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1676

Public comment 49. Individual. Individual. 7-4-18

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## Submitter Information

**Name:** Elliot Daniels

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## General Comment

I oppose the proposal to transfer authority for export control regulations for firearms from the Dept of State/ITAR to the Dept of Commerce.

# PUBLIC SUBMISSION

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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0056

Public comment 50. Individual. D Bohn. 6-9-18

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## Submitter Information

**Name:** Diana Bohn

**Address:**

618 San Luis  
Berkeley, CA, 94707

**Email:** nicca@iagc.org

**Phone:** 510-525-5497

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## General Comment

I oppose the proposed rule for the following reasons:

The proposed rule treats semi-automatic assault rifles as non-military. But many state and non-state groups in importing countries use semi-automatic rifles in armed conflicts, causing enormous damage. Regarding wide retail availability of firearms, about which comment has been requested, many countries, including Mexico, prohibit civilian possession of semi-automatic rifles and handguns, as well as of any larger caliber firearm. Six U.S. states, the District of Columbia, and several large retail chains also prohibit retail sale of semi-automatic assault rifles. Semi-automatic rifles are also easily converted to fully automatic firearms. Because military-style assault rifles clearly have substantial military utility, transfer of these firearms to Commerce Department control is inconsistent with the statutory framework enacted by the Congress to regulate the export of arms.

The proposed rule would eliminate Congressional oversight for important gun export deals. Congress will no longer be automatically informed about sizable sales of these weapons. That will limit its ability to comment on related human rights concerns, as it recently did on the Philippines and Turkey. Congressional action in 2002 required sales of firearms regulated by the US Munitions List valued at \$1 million or more be notified to Congress. Items moved to Commerce control would no longer be subject to such notification. In a September 15, 2017, letter, Senators Benjamin Cardin, Dianne Feinstein, and Patrick Leahy explicitly noted that this move would violate Congressional intent and effectively eliminate Congress proper role.

The rule reduces end-use controls for gun exports. It would eliminate the State Departments Blue Lantern program for gun and ammunition exports, which carries out hundreds of pre-license and post-shipment inspections and publicly reports on them. It also would move license approval out of the department that

compiles the U.S. Governments information on human rights violations, reducing the ability to effectively deny weapons licenses to international human rights violators.

End-use controls are weakened by eliminating registration of firearms exporters, a requirement since the 1940s. Registration of exporters allows the State Department to check an exporters history whenever a manufacturer or broker requests a license for a particular gun export sale. But the transfer of licensing to Commerce will remove new exporters and brokers of these firearms from the State Department database, weakening enforcement against arms trafficking.

The rule enables unchecked gun production in the U.S. and exports abroad by removing the block on 3D printing of firearms.

The Commerce Department does not have resources to enforce export controls, even before the addition of 30,000 firearms export licenses as a result of this rule predicted by Commerce. The BISs enforcement office, with no staff in Latin America, Africa, or many other parts of the world, is not equipped to take the same level of preventive measures for end-use controls. Moreover, the State Department has developed extensive data, expertise and institutional relations to implement the Leahy Law for security assistance, which can serve as a critical foundation in both pre-license and post-shipment checks to control and verify end uses and end users. Commerce does not have these resources.

The proposed change will reduce transparency and reporting on gun exports. The rule would eliminate Congressional and public awareness of the total amount (dollar value and items) of firearms sales authorizations and deliveries around the world, since the Commerce Department annual reports currently only cover about 20 countries.

This rule would transfer gun export licensing to an agency the Commerce Department - whose principle mission is to promote trade. Firearms, both assault weapons and non-semi-automatic weapons, are uniquely and pervasively used in criminal violence around the world. Controlling their export should be handled by the State Department, which is mandated and structured to address the potential impacts in importing nations on stability, human security, conflict, and human rights.

Firearms are used to kill a thousand people every day around the world in acts of organized crime, political violence, terrorism, and human rights violations. Research indicates that the types of weapons being transferred to Commerce control, including AR-15, AK-47, and other military-style assault rifles and their ammunition, are weapons of choice for criminal organizations in Mexico and other Latin American countries that are responsible for most of the increasing and record levels of homicides in those countries.[ii] The export of these weapons should be subject to more controls, not less.



# PUBLIC SUBMISSION

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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0057

Public comment 51. Individual. P W. 6-14-18

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## Submitter Information

**Name:** Paul W

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## General Comment

I oppose the proposed rule on gun exports because. Proposed rule treats semi-automatic assault rifles as non-military But US troops use rifles in semi-automatic mode an overwhelming amount of the time. Regarding wide retail availability of firearms, about which comment has been requested, many countries prohibit civilian possession of semi-automatic rifles & handguns, as well as of any larger caliber firearm. Many semi-automatic rifles are also easily converted to fully automatic. Because military-style assault rifles clearly have substantial military utility, transfer of these firearms to Commerce Department control is inconsistent with the statutory framework enacted by the Congress to regulate export of arms & would eliminate Congressional oversight for gun export deals. Congress will no longer be automatically informed about sizable sales of these weapons which limits its ability to comment on related human rights concerns, as it recently did on the Philippines & Turkey. Congressional action in 2002 required sales of firearms regulated by the US Munitions List valued at \$1 million or more be notified to Congress. In a September 15, 2017, letter, Senators Ben Cardin, Dianne Feinstein, & Pat Leahy explicitly noted that this move would violate Congressional intent & effectively eliminate Congress proper role.

New rules would transfer the cost of processing licenses from gun manufacturers to taxpayers. Registration fees that since the 1940s have been used to offset the costs to the government of tracking who is manufacturing weapons would no longer apply to manufacturers of semi-automatic weapons, and Commerce does not charge any fee for licensing. So the taxpayers will absorb the cost of reviewing applications and processing licenses not the gun exporters that benefit from these sales.

National laws for brokers and financiers who arrange firearm shipments are a weak link in the chain of efforts to curtail trafficking of small arms and light weapons. firearms brokers will no longer be subject to US brokering law. Although Commerce states it will retain rules on brokering for a State Department list that includes assault rifles, there is no statutory basis for brokers of these weapons to register and obtain a license, increasing the risk of trafficking. That will make it easier for unscrupulous dealers to escape attention.

Rule would eliminate the State Departments Blue Lantern program for gun and ammunition exports, which carries out hundreds of pre-license and post-shipment inspections and publicly reports on them. Registration of



exporters allows the State Department to check an exporters history whenever a manufacturer or broker requests a license for a particular gun export sale. Transfer of licensing to Commerce will remove new exporters and brokers of these firearms from the State Department database, weakening enforcement against arms trafficking. Rule enables unchecked gun production in the U.S. and exports abroad by removing the block on 3D printing of firearms. Unless corrected, the new regulations run the risk of effectively enabling 3D printing of firearms in US & globally. By eliminating many means to detect firearms, background checks on domestic sales and end-use controls on international exports for such weapons, this change could he State Department has developed extensive data, expertise and institutional relations to implement the Leahy Law for security assistance, which can serve as a critical foundation in both pre-license and post-shipment checks to control and verify end uses and end users. Commerce does not have these resources.

Proposed change will reduce transparency and reporting on gun exports by eliminating Congressional and public awareness of the total amount (dollar value and items) of firearms sales authorizations and deliveries around the world, since the Commerce Department annual reports currently only cover about 20 countries.

This rule would transfer gun export licensing to an agency Commerce Department - whose principle mission is to promote trade. Firearms, both assault weapons and non-semi-automatic weapons, are uniquely and pervasively used in criminal violence around the world. Controlling their export should be handled by State Department, which is mandated and structured to address the potential impacts in importing nations on stability, human security, conflict, and human rights.

Firearms are used to kill a thousand people every day in acts of organized crime, political violence, terrorism, and human rights violations. Research indicates that the types of weapons being transferred to Commerce control, including AR-15, AK-47, and other military-style assault rifles and their ammunition, are weapons of choice for criminal organizations in Mexico and other Latin American countries that are responsible for most of the increasing and record levels of homicides in those countries. Export of these weapons should be subject to more controls, not less.

# PUBLIC SUBMISSION

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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0058

Public comment 52. Individual. M Bazan. 6-15-18

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## Submitter Information

**Name:** Maria Carla Condori Bazan

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## General Comment

I am submitting this comment in strong opposition to the proposed rule to transfer oversight of non-military firearms exports from the State Department to the Commerce Department. This proposed rule has one purpose and one purpose only: to garner profits for a U.S. gun industry that is faring poorly domestically. It comes after a multi-year lobbying campaign by the NRA and National Shooting Sports Foundation (the NSSF has already boasted the change would lead to a 20% increase in firearms exports). NO ONE other than the gun lobby asked for this change. It would make U.S. exports of small arms far more dangerous, by transferring oversight responsibilities to an agency that prioritizes business over national security. The U.S. Congress would also lose its ability to oversee commercial weapons sales of \$1 million or more, which is inane. Im also disgusted by the rules attempts to legitimize semiautomatic assault rifles as civilian products when these battlefield weapons have stolen so many of our loved ones from us. If your agency approves this blatant corporate giveaway, I will do everything in my power to hold your leadership accountable for the resulting bloodshed that occurs globally. That will include advocating against your budget priorities across-the-board until a new administration cleans house.

Firearms are used to kill a thousand people every day around the world in acts of organized crime, political violence, terrorism, and human rights violations. Research indicates that the types of weapons being transferred to Commerce control, including AR-15, AK-47, and other military-style assault rifles and their ammunition, are weapons of choice for criminal organizations in Mexico and other Latin American countries that are responsible for most of the increasing and record levels of homicides in those countries. The export of these weapons should be subject to more controls, not less.

# PUBLIC SUBMISSION

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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0059

Public comment 53. Individual. D Pasta. 6-15-18

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## Submitter Information

**Name:** Diane Pasta

**Address:**

Des Moines, WA, 98198

**Email:** Dxpasta@Gmail.com

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## General Comment

I am Diane Pasta, a Quaker (Religious Society of Friends). As a person of faith and a citizen of the US, I am concerned about gun violence and militarization, which makes everyone less safe.

I oppose the proposed rule for the following reasons:

- 1.The proposed rule treats semi-automatic assault rifles as "non-military." But many state and non-state groups use semi-automatic rifles in armed conflicts. We should prohibit civilian possession of semi-automatic rifles and handguns, and larger caliber firearm. Semi-automatic rifles are easily converted to fully automatic firearms. These weapons have substantial military utility,so transfer of these firearms to Commerce Dept.control is inconsistent with Congressional attempts to regulate the export of arms.
- 2.The proposed rule would eliminate Congressional oversight for important gun export deals. Congress will no longer be automatically informed about sizable sales of these weapons, limiting its ability to comment on related human rights concerns. Congressional action in 2002 required sales of firearms regulated by the US Munitions List valued at \$1 million or more be notified to Congress. Items moved to Commerce control would no longer be subject to such notification. In a September 15, 2017, letter, Senators Benjamin Cardin, Dianne Feinstein, and Patrick Leahy explicitly noted that this move would violate Congressional intent and effectively eliminate Congress' proper role.
- 3.The switch from State to Commerce will mean that the brokers and financiers who arrange shipments of semiautomatic firearms will no longer have a statutory requirement to register and obtain a license, increasing risk of trafficking.
- 4.The rule reduces end-use controls for gun exports. It would eliminate the State Department's Blue Lantern program for gun and ammunition exports, which carries out hundreds of pre-license and post-shipment inspections and publicly reports on them. It also would move license approval out of the department that compiles the U.S. Government's information on human rights violations, reducing the ability to effectively deny

weapons licenses to international human rights violators.

5. End-use controls are weakened by eliminating registration of firearms exporters, a requirement since the 1940s. Registration of exporters allows the State Department to check an exporter's history. But the transfer of licensing to Commerce will remove new exporters and brokers from the State Department database, weakening enforcement against arms trafficking.

6. The rule enables unchecked gun production in the U.S. and exports abroad by removing the block on 3D printing of weapons. We can't have everyone with access to a 3D printer, anywhere, entitled to produce a lethal weapon. Unless corrected, the new regulations run the risk of effectively condoning and enabling 3D printing of firearms. It is effectively eliminating many means to do background checks on domestic sales and end-use controls on international exports.

7. The Commerce Department does not have resources to enforce export controls, even before the addition of 30,000 firearms export licenses as a result of this rule predicted by Commerce. The BIS's enforcement office, with no staff in many parts of the world, is not equipped to take the same level of preventive measures for end-use controls. Moreover, the State Department has developed extensive data, expertise and institutional relations for security assistance, which can serve as a critical foundation in both pre-license and post-shipment checks to control and verify end uses and end users. Commerce does not have these resources.

8. The proposed change will reduce transparency and reporting on gun exports. The rule would eliminate Congressional and public awareness of the total amount (dollar value and items) of firearms sales authorizations and deliveries around the world, since the Commerce Department annual reports currently only cover about 20 countries.

9. This rule would transfer gun export licensing to an agency - the Commerce Department - whose principle mission is to promote trade. Firearms, both assault weapons and non-semi-automatic weapons, are uniquely and pervasively used in criminal violence around the world. Controlling their export should be handled by the State Department, which is mandated and structured to address the potential impacts in importing nations on stability, human security, conflict, and human rights.

10. Firearms are used to kill a thousand people every day around the world in acts of organized crime, political violence, terrorism, and human rights violations. Research indicates that the types of weapons being transferred to Commerce control are weapons of choice for criminal organizations in countries that have increased violence. The export of these weapons should be subject to more controls, not less.

Thank you for the opportunity to comment on this important matter.

# PUBLIC SUBMISSION

<b>As of:</b> 6/20/18 4:54 PM
<b>Received:</b> June 16, 2018
<b>Status:</b> Posted
<b>Posted:</b> June 20, 2018
<b>Tracking No.</b> 1k2-93re-tfb5
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0060

Public comment 54. Individual. C Burns. 6-16-18

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## Submitter Information

**Name:** Chris Burns

**Address:**

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Apple Valley, 55124

**Email:** sharpdressedman@msn.com

**Phone:** 9522107604

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## General Comment

The proposed rule changes must be amended to improve American firearm manufacturers ability to manufacture and export civilian spong use firearms. Firearms other than fully automatic weapons have no military use or provide any advantage as these firearms have been in existence and production around the world for more than 50 years and are common nearly everywhere you go in the world. The use of these firearms for all sporting and lawful purpose is common worldwide wherever the ownership of firearms is not highly restricted. Allowing the export of these firearms will greatly improve the ability of American manufacturers of these products, most of which are small businesses that can't afford the onerous requirements of ITAR export, the ability to sell their products on the open market and increase the footprint of American made products worldwide.

The rules for traveling out of the US with these firearms also needs to be amended to allow a US citizen the ability to travel to a foreign country with their personally owned weapons without onerous and unnecessary export control to allow individuals the ability to travel to said foreign countries for the purposes of competition, hunting or personal protection any place said weapons are legal to possess. These firearms have no military use or pose any military threat to our country as they are already available all over the world.

# PUBLIC SUBMISSION

<b>As of:</b> 6/20/18 4:56 PM
<b>Received:</b> June 18, 2018
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<b>Posted:</b> June 20, 2018
<b>Tracking No.</b> 1k2-93se-vw5z
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0061

Public comment 55. Individual. A Tomassi. 6-18-18

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## Submitter Information

**Name:** Alexa Tomassi

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**Email:** alexa.tomassi@gmail.com

**Phone:** 2033170393

**Fax:** 06492

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## General Comment

To: Secretary of State Mike Pompeo  
Secretary of Commerce Wilbur Ross

We urge you to reverse the proposed regulations that will make it easier to export semi-automatic weapons and ammunition, eliminate Congressional oversight of these sales, weaken end-use controls, and enable production of 3D weapons anywhere. We have seen the effects of these weapons in U.S. shootings, and know they are used around the world to kill and attack hundreds of people every day in violent crime, wars, and political violence. U.S. export controls for weapons used in violence should be made stronger, not weaker.

Sources:

[1] The Washington Post, "The Trump administration wants to make it easier to sell U.S. guns abroad. Here's what you need to know" June 4, 2018. [https://www.washingtonpost.com/news/monkey-cage/wp/2018/06/04/the-trump-administration-wants-to-make-it-easier-to-sell-u-s-guns-abroad-heres-what-you-need-to-know/?utm\\_term=.cdb39dd2a669](https://www.washingtonpost.com/news/monkey-cage/wp/2018/06/04/the-trump-administration-wants-to-make-it-easier-to-sell-u-s-guns-abroad-heres-what-you-need-to-know/?utm_term=.cdb39dd2a669)

[2] Salon, "U.S. gun industry wants a bigger piece of the world's arms trade," June 1, 2018. <https://www.salon.com/2018/06/01/u-s-gun-industry-wants-a-bigger-piece-of-the-worlds-arms-trade/>



# PUBLIC SUBMISSION

<b>As of:</b> 6/20/18 5:00 PM
<b>Received:</b> June 18, 2018
<b>Status:</b> Posted
<b>Posted:</b> June 20, 2018
<b>Tracking No.</b> 1k2-93sg-cmj7
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0062

Public comment 56. Individual. A Welsh. 6-18-18

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## Submitter Information

**Name:** Amy Welsh

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## General Comment

I am writing in opposition to moving export license oversight for firearms from the Department of State to the Department of Commerce because the proposed rule change treats semiautomatic assault rifles as "non-military." This is despite the fact that U.S. troops routinely use their military rifles in semiautomatic mode, these weapons are used by state and non-state groups in armed conflicts, and the civilian possession of such weapons is prohibited in many countries. The proposed rule also: eliminates Congressional oversight for important gun export deals; transfers the cost of processing licenses from gun manufacturers to taxpayers; and, enables unchecked gun production in the U.S. and exports abroad by removing the block on 3D printing of firearms. The proposal reduces transparency and reporting on gun exports and transfers gun export licensing from an agency with a mission to promote stability, conflict reduction, and human rights, to an agency with a mission to promote trade and which lacks the resources to adequately enforce export controls.

As gun violence continues to tear lives apart at an alarming rate, we need tougher gun controls now more than ever. The U.S. needs to be proactive in their approach, especially when global security is such an issue. At this point, we're not even being reactive.

# PUBLIC SUBMISSION

<b>As of:</b> 6/20/18 5:01 PM
<b>Received:</b> June 18, 2018
<b>Status:</b> Posted
<b>Posted:</b> June 20, 2018
<b>Tracking No.</b> 1k2-93sg-c5bg
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0063

Public comment 57. Individual. L Bopp. 6-18-18

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## Submitter Information

**Name:** Lauren Bopp

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## General Comment

Export license oversight for firearms should remain with the State Department. The proposed rule to move it to Commerce is short-sighted and will only aggravate the crisis we have in this country surrounding firearm deaths. We also must not take away valuable tools that law enforcement have to fight organized crime and terrorism across borders.

I also strongly oppose transferring the cost of processing licenses from gun manufacturers to taxpayers and removing blocks on the 3D printing of firearms. The proposal reduces transparency and reporting on gun exports and transfers gun export licensing from an agency with a mission to promote stability, conflict reduction, and human rights, to an agency with a mission to promote trade and which lacks the resources to adequately enforce export controls. This rule only makes sense if you put the profits of gun manufacturers ahead of public safety and the safety of our police and border agents--in other words, no sense at all.



# PUBLIC SUBMISSION

<b>As of:</b> 7/17/18 4:35 PM
<b>Received:</b> July 04, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 17, 2018
<b>Tracking No.</b> 1k2-9438-zyp0
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1677

Public comment 58. Individual. Alisheba Hurwitz. 7-4-18

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## Submitter Information

**Name:** Alisheba Hurwitz

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## General Comment

I oppose this rule change that would switch the regulation of firearms exports from the State Department to the Commerce Department. This rule will remove safeguards against dangerous arms deals.

# PUBLIC SUBMISSION

<b>As of:</b> 6/20/18 5:08 PM
<b>Received:</b> June 18, 2018
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<b>Posted:</b> June 20, 2018
<b>Tracking No.</b> 1k2-93si-bpxs
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0065

Public comment 59. Individual. L Chain. 6-18-18

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## Submitter Information

**Name:** Leslie Chain

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## General Comment

"Commerce" is exporting guns for murder? Organized crime "commerce?"

# PUBLIC SUBMISSION

<b>As of:</b> 6/20/18 5:13 PM
<b>Received:</b> June 18, 2018
<b>Status:</b> Posted
<b>Posted:</b> June 20, 2018
<b>Tracking No.</b> 1k2-93sk-sjru
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0066

Public comment 60. Individual. M StJohn. 6-18-18

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## Submitter Information

**Name:** Margaret StJohn

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## General Comment

I am deeply opposed to the changes outlined in this proposal. Sales for these weapons should not be controlled by the Commerce Department, but should remain the purview of the State Department. This is central to homeland security, not commerce. Further, Semi automatic assault weapons are NOT civilian weapons and should not be treated or classified as such. And moreover, the whole initiative appears to be a transparent effort by gun lobbyists to increase profits in the industry without regard to public safety. I am strongly opposed to this proposal. BIS-2017-0004-0001.

# PUBLIC SUBMISSION

<b>As of:</b> 6/20/18 5:16 PM
<b>Received:</b> June 19, 2018
<b>Status:</b> Posted
<b>Posted:</b> June 20, 2018
<b>Tracking No.</b> 1k2-93t2-47rj
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0067

Public comment 61. Individual. M Olsen. 6-19-18

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## Submitter Information

**Name:** Marsha Olsen

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## General Comment

Please reverse the proposed regulations that will make it easier to export semi-automatic weapons and ammunition. We should not eliminate Congressional oversight of these sales. There is a reason that we need Congressional oversight in order for ALL American voices to be heard. We must not weaken end-use controls and enable production of 3D weapons anywhere. We have seen the effects of these weapons in U.S. shootings, particularly in our schools. We must not be partly responsible for killings of innocents in other countries. U.S. export controls for weapons used in violence should be made stronger, not weaker.

# PUBLIC SUBMISSION

<b>As of:</b> 6/20/18 5:17 PM
<b>Received:</b> June 19, 2018
<b>Status:</b> Posted
<b>Posted:</b> June 20, 2018
<b>Tracking No.</b> 1k2-93tf-7o4j
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0068

Public comment 62. Anonymous. 6-19-18

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## Submitter Information

**Name:** Anonymous Anonymous

**Address:**

Benedek

Nyikos

El Cerrito, CA, 94530

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## General Comment

The United States should be passing stricter gun control laws, not attempting to make it easier to distribute weapons of war abroad. Our nation should not be making the world less safe by putting dangerous weapons in civilian hands.

# PUBLIC SUBMISSION

<b>As of:</b> 6/20/18 5:19 PM
<b>Received:</b> June 19, 2018
<b>Status:</b> Posted
<b>Posted:</b> June 20, 2018
<b>Tracking No.</b> 1k2-93t4-lown
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0069

Public comment 63. Individual. W Castner. 6-19-18

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## Submitter Information

**Name:** William Castner

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## General Comment

Kindly accept this comment in strong opposition to this proposed Rule. Among other reasons, liberalizing the export of firearms to foreign countries may allow terrorists to have easier access to firearms without sufficient foreign safeguards in place. If the U.S. government were to allow the gun industry to experience substantial profits due to this rule change at a minimum it should secure assurances & best practices from gun manufactures to keep US citizens safer such as assurances against sale of firearms to retailers with a record or suspicion of gun trafficking.

# PUBLIC SUBMISSION

<b>As of:</b> 6/20/18 5:23 PM
<b>Received:</b> June 20, 2018
<b>Status:</b> Posted
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<b>Tracking No.</b> 1k2-93to-zzu4
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> API

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0070

Public comment 64. Individual. J Zocco Hochhalter. 6-20-18

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## Submitter Information

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Pine, CO, 80470

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**Phone:** 7202208855

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## General Comment

This proposed rule goes against all things related to common sense. The government should be making it MORE difficult, not LESS difficult, for international weapons sales.

# PUBLIC SUBMISSION

<b>As of:</b> 6/20/18 5:25 PM
<b>Received:</b> June 20, 2018
<b>Status:</b> Posted
<b>Posted:</b> June 20, 2018
<b>Tracking No.</b> 1k2-93tp-4yh2
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> API

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0071

Public comment 65. Individual. D Haessig. 6-20-18

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## Submitter Information

**Name:** Dana Haessig

**Address:** United States,

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## General Comment

Hi --

Reducing regulations on firearms, guns, and ammunition is a dangerous and publicly unsupported plan. With the increase in gun violence in the US, there has been a significant increase in support by the public for INCREASED gun regulations, not decreased gun regulations that are at the whim of the President. The ability to sell more firearms outside the US more freely makes the US an arms dealer to criminals world wide. That is something that the Justice Department has fought for decades. This policy change only makes sense if you stand to gain financially from it, and this administration most certainly does stand to gain financially. The NRA will continue to fund them indefinitely with this type of change.

Please do NOT make this change, it is anti-American and flies in the face of everything American was built to represent.

Sincerely,

Dana Haessig



# PUBLIC SUBMISSION

<b>As of:</b> 6/20/18 5:28 PM
<b>Received:</b> June 20, 2018
<b>Status:</b> Posted
<b>Posted:</b> June 20, 2018
<b>Tracking No.</b> 1k2-93tw-6d5p
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> API

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0072

Public comment 66. Individual. L Bungert. 6-20-18

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## Submitter Information

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**Phone:** 507-333-4663

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## General Comment

Gun Manufacturers make enough money without changing who oversees them. Making it easier for them to sell guns anywhere, with rules that are pretty much non-existent is ridiculous. Don't do it.

# PUBLIC SUBMISSION

<b>As of:</b> 6/21/18 7:49 AM
<b>Received:</b> June 20, 2018
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<b>Tracking No.</b> 1k2-93tw-73jt
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> API

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0073

Public comment 67. Individual. C Light. 6-20-18

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## Submitter Information

**Name:** Caroline Light

**Address:**

200 Payson Rd  
Belmont, 02478-2834

**Email:** clighthouse200@gmail.com

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## General Comment

Please do NOT allow this rule to go into effect! do NOT transfer the oversight of international gun sales to the Commerce Department (from the State Dept). This is a baldly calculated effort to deregulate the overseas sale of firearms, an act that favors manufacturers of weaponry while deregulating the US's distribution of firearms to other nations.

# PUBLIC SUBMISSION

<b>As of:</b> 6/21/18 8:14 AM
<b>Received:</b> June 05, 2018
<b>Status:</b> Posted
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<b>Tracking No.</b> 1k2-93jy-ilsu
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0074

Public comment 68. Individual. S Anonymous. 6-21-18

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## Submitter Information

**Name:** Sherrie Anonymous

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## General Comment

I am strongly opposed to the proposed rule to transfer oversight of non-military firearms exports from the State Department to the Commerce Department. This proposed rule has one purpose and one purpose only: to garner profits for a U.S. gun industry that is faring poorly domestically. It comes after a multi-year lobbying campaign by the NRA and National Shooting Sports Foundation (the NSSF has already boasted the change would lead to a 20% increase in firearms exports). NO ONE other than the gun lobby asked for this change. It would make U.S. exports of small arms far more dangerous, by transferring oversight responsibilities to an agency that prioritizes business over national security. The U.S. Congress would also lose its ability to oversee commercial weapons sales of \$1 million or more, which is inane. Im also disgusted by the rules attempts to legitimize semiautomatic assault rifles as civilian products when these battlefield weapons have stolen so many of our loved ones from us. If your agency approves this blatant corporate giveaway, I will do everything in my power to hold your leadership accountable for the resulting bloodshed that occurs globally. That will include advocating against your budget priorities across-the-board until a new administration cleans house. It's time to put commonsense ahead of the almighty dollar.

# PUBLIC SUBMISSION

<b>As of:</b> 6/21/18 8:21 AM
<b>Received:</b> June 12, 2018
<b>Status:</b> Posted
<b>Posted:</b> June 21, 2018
<b>Tracking No.</b> 1k2-93op-skgd
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0075

Public comment 69. Anonymous. 6-12-18

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## Submitter Information

**Name:** Anonymous Anonymous

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## General Comment

Im 60 years old and semi-retired. I operated a gunsmith shop in my early twenties but gave it up to better support my family. However, I always intended to go back to gunsmithing later in life. Finally that happened, I spent quite a bit of money that would have funded my retirement starting my business. I had a new building built, I bought and learned to use 3 manual lathes and a mill with the intention of getting a manufacturers FFL and making a few custom firearms a year, restoring and selling a few older firearms a year and doing general repairs. I figured I would make \$5000 to \$10,000 a year to supplement my retirement while doing a job my community needed. I probably spent \$85,000 or so on my building, equipment and tools.

However, the Obama administration changed the interpretation of the ITAR rules and started requiring holders of FFL-07 licenses (manufacturing FFL) to send nearly \$3000 per year to the state department in ITAR fees. This could well have been half or more of my yearly profits and meant I had to settle for a type 01 FFL and be a gunsmith only. At that time, as a gunsmith I could do nearly any repair, customization or improvement for a customer on his/her firearm but could not improve, customize or refinish a firearm and then sell it as that would make me a manufacturer. Although this wasnt the future Id worked towards for nearly 40 years, it was better than nothing.

Then, in July of 2016 the Obama administration again reinterpreted the existing rules and decided to bring virtually all the jobs gunsmiths do under the ITAR umbrella. This was obviously intended to bankrupt the nations gunsmiths, and, I suspect to chill the pre-election free speech of Gunsmith/2nd Amendment activists such as myself. It did not suppress my free speech but it did cause me to start turning away 90% of my potential customers. Under these rules refinishing firearms and replacing parts is about the only thing a gunsmith is now allowed to do. According to the 2nd Obama reinterpretation of the ITAR rules even making a screw or stock for a 150 year-old firearm could be interpreted as a violation.

Since these rules took effect in July of 2016 I dont believe I have made a monthly profit, even once. Threading barrels, customizing, , making stocks, dovetailing sight groves, re-chambering, making obsolete parts and the like are all still banned to my knowledge. And, with the exception of the occasional machine shop work, my three lathes and my mill are still idle.

I am again considering closing my shop because of this. My insurance alone is nearly a grand a year and Im not sure how long I can survive while waiting on this to be fixed. Please, lets get the State Department out of the gunsmith business and again allow a gunsmith to make and sell a few custom firearms a year without being bankrupted by ITAR.

# PUBLIC SUBMISSION

<b>As of:</b> 6/21/18 8:28 AM
<b>Received:</b> June 18, 2018
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<b>Tracking No.</b> 1k2-93sp-5x2c
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0076

Public comment 70. Individual. A Gelman. 6-18-18

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## Submitter Information

**Name:** Alice Gelman

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## General Comment

Hello,

My name is Alice and I am writing in opposition to moving export license oversight for firearms from the Department of State to the Department of Commerce because the proposed rule change treats semiautomatic assault rifles as "non-military." This is despite the fact that U.S. troops routinely use their military rifles in semiautomatic mode, these weapons are used by state and non-state groups in armed conflicts, and the civilian possession of such weapons is prohibited in many countries. The proposed rule also: eliminates Congressional oversight for important gun export deals; transfers the cost of processing licenses from gun manufacturers to taxpayers; and, enables unchecked gun production in the U.S. and exports abroad by removing the block on 3D printing of firearms. The proposal reduces transparency and reporting on gun exports and transfers gun export licensing from an agency with a mission to promote stability, conflict reduction, and human rights, to an agency with a mission to promote trade and which lacks the resources to adequately enforce export controls.

Firearms are used to kill a thousand people every day around the world in acts of organized crime, political violence, terrorism, and human rights violations. They should be subject to more controls, not fewer.

Thank you,  
Alice

# PUBLIC SUBMISSION

<b>As of:</b> 6/21/18 1:20 PM
<b>Received:</b> June 21, 2018
<b>Status:</b> Posted
<b>Posted:</b> June 21, 2018
<b>Tracking No.</b> 1k2-93uf-i2p3
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0078

Public comment 71. Individual. C Tischio. 6-18-18

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## Submitter Information

**Name:** Carla Tischio

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## General Comment

I urge ATF to finalize its proposed rule clarifying that bump-fire stocks, along with other "conversion devices" that enable semiautomatic weapons to mimic automatic fire, qualify as "machineguns" under the National Firearms Act and are generally illegal to possess.

On the night of October 1, 2017, a gunman opened fire from a hotel room on the 32nd floor of the Mandalay Bay hotel into the 22,000 person crowd at the Route 91 Harvest country music festival in Las Vegas, Nevada, killing 58 people and injuring more than 500. The gunman fired more than 1,100 rounds of ammunition in 11 minutes, using semiautomatic rifles modified with dangerous firearm accessories designed to dramatically accelerate the rate of fire, commonly known as "bump-fire stocks." These devices are intended to circumvent the restrictions on possession of fully automatic firearms in the Gun Control Act of 1968 and the National Firearms Act of 1934 by allowing an individual to modify a semiautomatic rifle in such a manner that it operates with a similar rate of fire as a fully automatic rifle. Bump stocks and similar "conversion devices" that accelerate the rate of fire of a semiautomatic firearm are extremely dangerous and pose a substantial risk to public safety.

In the absence of immediate action by Congress, ATF should finalize its proposed rule, clarifying that conversion devices like bump-fire stocks are included in the definition of "machinegun" under the National Firearms Act of 1934. And then Congress must act as well to ensure that manufacturers cannot continue to endanger public safety by designing devices that imitate machine guns and subvert the law. The continued presence of these dangerous devices puts all of our communities at risk and both Congress and ATF must take action quickly to address this threat.

I also am writing in opposition to moving export license oversight for firearms from the Department of State to the Department of Commerce because the proposed rule change treats semiautomatic assault rifles as "non-military." This is despite the fact that U.S. troops routinely use their military rifles in semiautomatic mode, these weapons are used by state and non-state groups in armed conflicts, and the civilian possession of such weapons

is prohibited in many countries. The proposed rule also: eliminates Congressional oversight for important gun export deals; transfers the cost of processing licenses from gun manufacturers to taxpayers; and, enables unchecked gun production in the U.S. and exports abroad by removing the block on 3D printing of firearms. The proposal reduces transparency and reporting on gun exports and transfers gun export licensing from an agency with a mission to promote stability, conflict reduction, and human rights, to an agency with a mission to promote trade and which lacks the resources to adequately enforce export controls.

Firearms are used to kill a thousand people every day around the world in acts of organized crime, political violence, terrorism, and human rights violations. They should be subject to more controls, not fewer.



# PUBLIC SUBMISSION

<b>As of:</b> 6/21/18 1:27 PM
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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0079

Public comment 72. Individual. P Kocoras. 6-21-18

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## Submitter Information

**Name:** Peggy Kocoras

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## General Comment

I am writing in opposition to moving export license oversight for firearms from the Department of State to the Department of Commerce because the proposed rule change treats semiautomatic assault rifles as "non-military" -- even though US troops routinely use their military rifles in semiautomatic mode, these weapons are used by state and non-state groups in armed conflicts, and the civilian possession of such weapons is prohibited in many countries. The proposed rule also eliminates Congressional oversight for important gun export deals, transfers the cost of processing licenses from gun manufacturers to taxpayers, and enables unchecked gun production in the US and exports abroad by removing the block on 3D printing of firearms. The proposal reduces transparency and reporting on gun exports and transfers gun export licensing from an agency with a mission to promote stability, conflict reduction, and human rights, to an agency with a mission to promote trade and lacks the resources to adequately enforce export controls.

Although the current administration views everything on earth as a commodity, some things should not be for sale. Those include semiautomatic weapons. Congress giving up oversight of weapon exports is an abrogation of their responsibilities.

# PUBLIC SUBMISSION

<b>As of:</b> 6/21/18 1:30 PM
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<b>Posted:</b> June 21, 2018
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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0080

Public comment 73. Individual. L Bronstein. 6-21-18

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## Submitter Information

**Name:** Linda Bronstein

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## General Comment

I urge ATF to finalize its proposed rule clarifying that bump-fire stocks, along with other "conversion devices" that enable semiautomatic weapons to mimic automatic fire, qualify as "machineguns" under the National Firearms Act and are generally illegal to possess. In the absence of immediate action by Congress, ATF should finalize its proposed rule, clarifying that conversion devices like bump-fire stocks are included in the definition of "machinegun" under the National Firearms Act of 1934. And then Congress must act as well to ensure that manufacturers cannot continue to endanger public safety by designing devices that imitate machine guns and subvert the law. The continued presence of these dangerous devices puts all of our communities at risk and both Congress and ATF must take action quickly to address this threat.

# PUBLIC SUBMISSION

<b>As of:</b> 6/21/18 1:35 PM
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<b>Posted:</b> June 21, 2018
<b>Tracking No.</b> 1k2-93ug-uvjk
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0081

Public comment 74. Individual. A Ioffreda. 6-21-18

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## Submitter Information

**Name:** Angelo Ioffreda

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## General Comment

I am writing in opposition to moving export license oversight for firearms from the Department of State to the Department of Commerce because the proposed rule change treats semiautomatic assault rifles as "non-military" and just another export product, which they most definitely are not. U.S. troops routinely use their weapons in semiautomatic mode. Semiautomatic weapons are used by state and non-state groups in armed conflicts, by drug traffickers and criminal organizations, and the civilian possession of such weapons is prohibited in many countries. The sale of semiautomatic weapons is not a simple commercial transaction.

This misguided proposal reduces transparency and reporting on gun exports and transfers gun export licensing from an agency with a mission to promote stability, conflict reduction, and human rights, to an agency with a mission to promote trade and which lacks the resources to adequately enforce export controls. The proposed rule also eliminates Congressional oversight for important gun export deals; transfers the cost of processing licenses from gun manufacturers to taxpayers; and enables unchecked gun production in the U.S. and exports abroad by removing the block on 3D printing of firearms.

Firearms are used to kill a thousand people every day around the world in acts of organized crime, political violence, terrorism, and human rights violations. They should be subject to more controls, not fewer.

# PUBLIC SUBMISSION

<b>As of:</b> 6/21/18 1:40 PM
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<b>Posted:</b> June 21, 2018
<b>Tracking No.</b> 1k2-93ug-ifrg
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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0082

Public comment 75. Individual. G Collins. 6-21-18

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## Submitter Information

**Name:** Gary Collins

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## General Comment

The national interest of the U.S. is not well served by moving export license oversight for firearms from the Department of State to the Department of Commerce because the wider and less restricted distribution of essentially military weaponry is inimical to the promulgation of international peace and civilian safety, or suppression of misuse of firearms by state and individual actors. The proposed rule change treats semiautomatic assault rifles as "non-military" despite the fact that U.S. troops routinely use their military rifles in semiautomatic mode, such weapons are used by state and non-state groups in armed conflicts, and the civilian possession of such weapons is prohibited in many countries. The proposed rule also: eliminates Congressional oversight for important gun export deals; transfers the cost of processing licenses from gun manufacturers to taxpayers; and, enables unchecked gun production in the U.S. and exports abroad by removing the block on 3D printing of firearms. The proposal reduces transparency and reporting on gun exports and transfers gun export licensing from an agency with a mission to promote stability, conflict reduction, and human rights, to an agency with a mission to promote trade and which lacks the resources to adequately enforce export controls.

Firearms are used to kill a thousand people every day around the world in acts of organized crime, political violence, terrorism, and human rights violations. They should be subject to more controls, not fewer.

# PUBLIC SUBMISSION

<b>As of:</b> 6/21/18 1:45 PM
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<b>Posted:</b> June 21, 2018
<b>Tracking No.</b> 1k2-93ug-d3qr
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0083

Public comment 76. Individual. L Amsden. 6-21-18

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## Submitter Information

**Name:** Liz Amsden

**Address:**

Los Angeles, CA, 90042

**Email:** LizAmsden@hotmail.com

**Phone:** 2139259254

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## General Comment

I am writing to STRONGLY oppose moving export license oversight for firearms from the Department of State to the Department of Commerce.

Guns sold for profit contribute to violence around the world as well as in our own country. The US government should be making it MORE difficult to manufacture and export weapons. EVEN if sold to so-called 'friends' of the administration, many end up in the hands of those who use them against American citizens and other innocent people.

Under the proposed rule change semiautomatic assault rifles are treated as "non-military." This, despite the fact that U.S. troops routinely use their military rifles in semiautomatic mode, despite the fact these weapons are used by state and non-state groups in armed conflicts, and despite the fact the civilian possession of such weapons is prohibited in many countries.

The proposed rule also: eliminates Congressional oversight for important gun export deals; transfers the cost of processing licenses from gun manufacturers to taxpayers; and, enables unchecked gun production in the U.S. and exports abroad by removing the block on 3D printing of firearms. The proposal reduces transparency and reporting on gun exports and transfers gun export licensing from an agency with a mission to promote stability, conflict reduction, and human rights, to an agency with a mission to promote trade and which lacks the resources to adequately enforce export controls.

Firearms are used to kill a thousand people every day around the world in acts of organized crime, political

violence, terrorism, and human rights violations. This is not and WILL NEVER BE acceptable as the end result of a business model.

Firearms, guns ammunition and related article MUST be subject to more controls, NOT fewer.

# PUBLIC SUBMISSION

<b>As of:</b> 6/21/18 1:48 PM
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<b>Posted:</b> June 21, 2018
<b>Tracking No.</b> 1k2-93ug-qylk
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0084

Public comment 77. Individual. J Riggs. 6-21-18

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## Submitter Information

**Name:** Jenna Riggs

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## General Comment

I am writing in opposition to moving export license oversight for firearms from the Department of State to the Department of Commerce because the proposed rule change treats semiautomatic assault rifles as non-military.

This move is only for the profit of the firearm industry. They value profit over human life, and I implore the Commerce Department to view this move as what it is: a gift to big donors, including the NRA, of the current administration. It's function is to create easier purchases of firearms and weapons to the very people that should not have them in the first place. Please have a conscience - we need someone to be the adults in the room.

Firearms are used to kill a thousand people every day around the world in acts of organized crime, political violence, terrorism, and human rights violations. They should be subject to more controls, not fewer.

# PUBLIC SUBMISSION

<b>As of:</b> 6/21/18 1:52 PM
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<b>Status:</b> Posted
<b>Posted:</b> June 21, 2018
<b>Tracking No.</b> 1k2-93ug-f0c3
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0085

Public comment 78. Individual. J Talbot. 6-21-18

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## Submitter Information

**Name:** James Talbot

**Address:**

Austin, TX, 78704-3017

**Email:** talbot@talbotworld.com

**Phone:** 5121111111

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## General Comment

I oppose moving export license oversight for firearms from the Department of State to the Department of Commerce and any move that reduces transparency and reporting on gun exports and transfers gun export licensing from an agency with a mission to promote stability, conflict reduction, and human rights, to an agency with a mission to promote trade and which lacks the resources to adequately enforce export controls. Please don't.



# PUBLIC SUBMISSION

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<b>Received:</b> June 21, 2018
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<b>Posted:</b> June 28, 2018
<b>Tracking No.</b> 1k2-93uh-v95n
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0087

Public comment 79. Individual. N Traum. 6-21-18

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## Submitter Information

**Name:** Norman Traum

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## General Comment

I am writing in opposition to moving export license oversight for firearms from the Department of State to the Department of Commerce because the proposed rule change treats semiautomatic assault rifles as non-military.

Firearms are used to kill a thousand people every day around the world in acts of organized crime, political violence, terrorism, and human rights violations. They should be subject to more controls, not fewer.

# PUBLIC SUBMISSION

<b>As of:</b> 6/28/18 9:49 AM
<b>Received:</b> June 21, 2018
<b>Status:</b> Posted
<b>Posted:</b> June 28, 2018
<b>Tracking No.</b> 1k2-93uk-1 wrd
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0088

Public comment 80. Individual. M Shea. 6-21-18

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## Submitter Information

**Name:** Maureen Shea

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## General Comment

I respectfully ask that changes not be made in the present regulations regarding exporting of semi-automatic weapons and ammunition abroad. With all the illegal arms now circulating in the world, the U.S. should be trying to reduce not add new firearms.

# PUBLIC SUBMISSION

<b>As of:</b> 6/28/18 10:08 AM
<b>Received:</b> June 21, 2018
<b>Status:</b> Posted
<b>Posted:</b> June 28, 2018
<b>Tracking No.</b> 1k2-93un-pkwv
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0089

Public comment 81. Individual. J Cunningham. 6-21-18

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## Submitter Information

**Name:** James Cunningham

**Address:**

Powell, OH, 43065

**Email:** james.cunningham@earthlink.net

**Phone:** 6143260730

**Organization:** Guitar Instruction

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## General Comment

I am writing in strong opposition to moving export license oversight for firearms from the Department of State to the Department of Commerce. The proposed rule change treats semiautomatic assault rifles as non-military. This is despite the fact that U.S. troops routinely use their military rifles in semiautomatic mode, these weapons are used by state and non-state groups in armed conflicts, and the civilian possession of such weapons is prohibited in many countries.

The proposed rule also: eliminates Congressional oversight for important gun export deals; transfers the cost of processing licenses from gun manufacturers to taxpayers; and, enables unchecked gun production in the U.S. and exports abroad by removing the block on 3D printing of firearms. The proposal reduces transparency and reporting on gun exports and transfers gun export licensing from an agency with a mission to promote stability, conflict reduction, and human rights, to an agency with a mission to promote trade and which lacks the resources to adequately enforce export controls. This change defies sound reasoning, Aristotelian logic, and common sense to place the baseness of greed above global public safety.

Firearms are used to kill thousands of people every day around the world in acts of organized crime, street crime, political violence, terrorism, and myriad human rights violations. They should be subject to more controls, not fewer. Humanity deserves to be free from the threats posed by deranged, greedy, corrupt individuals like those responsible for proposing this absurd change.

Thank you for considering my comments.

# PUBLIC SUBMISSION

<b>As of:</b> 6/28/18 10:11 AM
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<b>Status:</b> Posted
<b>Posted:</b> June 28, 2018
<b>Tracking No.</b> 1k2-93uo-oow0
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0090

Public comment 82. Individual. D Henderson. 6-21-18

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## Submitter Information

**Name:** Deirdre Henderson

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## General Comment

THIS IS A REALLY BAD! IDEA! MOVING EXPORT LICENSE OVERSIGHT FOR FIREARMS TO THE STATE DEPARTMENT IS A VERY BAD IDEA! ARE YOU ALL CRAZY??? ARE YOU SO AFRAID OF THE NRA THAT YOU DO THEIR BIDDING? DO THEY REALLY OWN YOU? HAVE YOU NO MORAL COURAGE? YOUR MOTHERS WOULD NOT BE PROUD OF YOU!!!

"I am writing in opposition to moving export license oversight for firearms from the Department of State to the Department of Commerce because the proposed rule change treats semiautomatic assault rifles as non-military. This is despite the fact that U.S. troops routinely use their military rifles in semiautomatic mode, these weapons are used by state and non-state groups in armed conflicts, and the civilian possession of such weapons is prohibited in many countries. The proposed rule also: eliminates Congressional oversight for important gun export deals; transfers the cost of processing licenses from gun manufacturers to taxpayers; and, enables unchecked gun production in the U.S. and exports abroad by removing the block on 3D printing of firearms. The proposal reduces transparency and reporting on gun exports and transfers gun export licensing from an agency with a mission to promote stability, conflict reduction, and human rights, to an agency with a mission to promote trade and which lacks the resources to adequately enforce export controls.

Firearms are used to kill a thousand people every day around the world in acts of organized crime, political violence, terrorism, and human rights violations. They should be subject to more controls, not fewer."

# PUBLIC SUBMISSION

<b>As of:</b> 6/28/18 10:14 AM
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<b>Posted:</b> June 28, 2018
<b>Tracking No.</b> 1k2-93uo-2uy3
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0091

Public comment 83. Individual. B Olson. 6-21-18

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## Submitter Information

**Name:** Barbara Olson

**Address:**

2253 Everest SE

Grand Rapids, MI, 49507

**Email:** barbaraannolson@yahoo.com

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## General Comment

I am wondering how the NRA was able to write legislation supporting the transfer of licensing oversight of weapons of war from the Department of State to the Department of Commerce? At least that is what is occurring to me with this request. I am solidly against moving the oversight of weaponry to the Department of Commerce.

"I am writing in opposition to moving export license oversight for firearms from the Department of State to the Department of Commerce because the proposed rule change treats semiautomatic assault rifles as non-military. This is despite the fact that U.S. troops routinely use their military rifles in semiautomatic mode, these weapons are used by state and non-state groups in armed conflicts, and the civilian possession of such weapons is prohibited in many countries. The proposed rule also: eliminates Congressional oversight for important gun export deals; transfers the cost of processing licenses from gun manufacturers to taxpayers; and, enables unchecked gun production in the U.S. and exports abroad by removing the block on 3D printing of firearms. The proposal reduces transparency and reporting on gun exports and transfers gun export licensing from an agency with a mission to promote stability, conflict reduction, and human rights, to an agency with a mission to promote trade and which lacks the resources to adequately enforce export controls.

Firearms are used to kill a thousand people every day around the world in acts of organized crime, political violence, terrorism, and human rights violations. They should be subject to more controls, not fewer."

# PUBLIC SUBMISSION

<b>As of:</b> 6/28/18 10:17 AM
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<b>Posted:</b> June 28, 2018
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<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0092

Public comment 84. Individual. J Haynes. 6-21-18

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## Submitter Information

**Name:** JeVerna Haynes

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## General Comment

No, no, no! I'm sick of every thing in this country being about making money, instead of about the safety of our people.

I am writing in opposition to moving export license oversight for firearms from the Department of State to the Department of Commerce because the proposed rule change treats semiautomatic assault rifles as non-military. This is despite the fact that U.S. troops routinely use their military rifles in semiautomatic mode, these weapons are used by state and non-state groups in armed conflicts, and the civilian possession of such weapons is prohibited in many countries. The proposed rule also: eliminates Congressional oversight for important gun export deals; transfers the cost of processing licenses from gun manufacturers to taxpayers; and, enables unchecked gun production in the U.S. and exports abroad by removing the block on 3D printing of firearms. The proposal reduces transparency and reporting on gun exports and transfers gun export licensing from an agency with a mission to promote stability, conflict reduction, and human rights, to an agency with a mission to promote trade and which lacks the resources to adequately enforce export controls. This should not be a matter for Commerce, and must require Congressional oversight.

# PUBLIC SUBMISSION

<b>As of:</b> 6/28/18 10:21 AM
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<b>Tracking No.</b> 1k2-93v2-5rfl
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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0093

Public comment 85. Individual. E Jaramillo. 6-22-18

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## Submitter Information

**Name:** Ellen Jaramillo

**Address:**

344 Winchester

New Haven, CT, 06511

**Email:** ellen.jaramillo@yale.edu

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## General Comment

I am writing in opposition to moving export license oversight for firearms from the Department of State to the Department of Commerce because the proposed rule change treats semiautomatic assault rifles as non-military.

Semiautomatic assault rifles are not sporting or hunting rifles, and not meant for commercial hunting, so they should

not be governed by the Department of Commerce.

U.S. troops routinely use their military rifles in semiautomatic mode, these weapons are used by state and non-state

groups in armed conflicts, and the civilian possession of such weapons is prohibited in many countries.

Semiautomatic

assault rifles are used in military settings and therefore these types of firearms export license oversight should remain

with the Department of State.

The proposed rule also: eliminates Congressional oversight for important gun export deals; transfers the cost of processing licenses from gun manufacturers to taxpayers; and, enables unchecked gun production in the U.S. and exports abroad by removing the block on 3D printing of firearms. The proposal reduces transparency and reporting

on gun exports and transfers gun export licensing from an agency with a mission to promote stability, conflict reduction,

and human rights, to an agency with a mission to promote trade and which lacks the resources to adequately

enforce

export controls. Semiautomatic assault rifles usage by private citizens results in increased crime, violence, family accidents,

and mass murder, and should be subject to more federal government controls, not fewer.

Please do not move export license oversight for firearms from the Department of State to the Department of Commerce.



## PUBLIC SUBMISSION

**As of:** 6/28/18 10:26 AM  
**Received:** June 22, 2018  
**Status:** Posted  
**Posted:** June 28, 2018  
**Tracking No.** 1k2-93v5-sj25  
**Comments Due:** July 09, 2018  
**Submission Type:** Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0094

Public comment 86. Individual. E Williams. 6-22-18

---

### Submitter Information

**Name:** Erick Williams

**Address:**

1209 Old Hickory

East Lansing, MI. 48823

**Email:** willnielsen@sysmatrix.net

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### General Comment

See attached file(s)

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### Attachments

Commerce rule comment, June 22, 2018

Erick Williams, JD  
1209 Old Hickory  
East Lansing, MI 48823

June 22, 2018

Regulatory Policy Division  
Bureau of Industry and Security  
US Department of Commerce  
14th St and Pennsylvania Ave, NW, Room 2099B  
Washington, DC 20230  
<http://www.regulations.gov>

Re: Docket No. BIS-2017-0004; RIN 0694-AF47

Greetings:

These are comments on the Commerce Department proposed rule, “Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control under the United States Munitions List.” 83 Federal Register 24166, May 24, 2018, <https://www.federalregister.gov/documents/2018/05/24/2018-10367/control-of-firearms-guns-ammunition-and-related-articles-the-president-determines-no-longer-warrant>

## **Background**

The rules governing firearm exports should give the police profession a greater, better-defined role in the evaluation of firearm export license applications.

15 CFR 738.2 (d) (2) (ii) (A) (CC) provides that items proposed for export are controlled for “crime control” reasons. The practice of controlling exports for crime control reasons reflects a basic principle

underlying arms control treaties and statutes. The proliferation of weapons should be controlled because it tends to impair the rule of law.

To assure that the rule of law is not impaired by firearm exports, licensing officials should consider the effect of proposed exports on local communities, public safety, peace officer safety, crime control, and control of civil disturbances.

In several parts of the world, armed gangs are impairing the rule of law, and their activities cross borders. As a major producer of firearms, the USA, through export law enforcement, can help limit the flows of weapons to armed gangs. The police profession, closely associated with the rule of law, is a critical stakeholder in the arms export licensing process.

Unfortunately, neither the current nor the proposed rules governing firearm exports provide for export license applications to be vetted by people with police backgrounds.

Historically, the weapons analysts who vet arms export licenses have been with the Defense Department. Military analysts worry (as they should) about the impact of weapons on the battlefield. But defense analysis does not necessarily evaluate transactions with an eye to the security needs of civilian communities -- public safety, peace officer safety, crime control, and the prevention and management of civil disturbances.

Firearms that “no longer warrant control” by the military can nonetheless destabilize communities, overwhelm peace officers and contribute to civil disorder.

Notorious examples of the adverse effects of firearm proliferation have come from Africa and the Middle East as well as closer to home -- Mexico and Central America.

See: Alec MacGillis, *“America's Wild-West Gun Laws Are Helping Fuel The Border Crisis: The Unwanted Traffic Between The Us And Central America Goes Both Ways”* (New Republic, July 21, 2014), <https://newrepublic.com/article/118759/nra-and-gun-trafficking-are-adding-fuel-border-migrant-crisis>

Robert Muggah and Steven Dudley, Op-Ed: *“The Latin American Gun Leak”*, (Los Angeles Times, January 16, 2015), <http://www.latimes.com/opinion/op-ed/la-oe-muggah-arming-latin-america-20150118-story.html>

*“Attacks Against Peacekeepers”* (United Nations OHCHR, May 2017), <https://www.ohchr.org/Documents/Countries/CF/Mapping2003-2015/Factsheet7-EN.pdf>

*“Attacks against civilians and MINUSCA peacekeepers in the town of Bangassou in the Central African Republic”* (Office of the Spokesperson for the UN Secretary-General, May 14, 2017) <https://www.un.org/sg/en/content/statement/2017-05-14/statement-attributable-spokesman-secretary-general-attacks-against>

Alex Yablon, *“American Guns Drive the Migrant Crisis that Trump Wants to Fix with a Wall”* (Trace, May 25, 2017) <https://www.thetrace.org/2017/05/gun-trafficking-central-america-immigrant-crisis-trump-wall/>

Jonathan Blitzer, *“The Link Between America’s Lax Gun Laws and the Violence That Fuels Immigration”* (New Yorker, March 22, 2018), <https://www.newyorker.com/news/news-desk/the-link-between-americas-lax-gun-laws-and-the-violence-that-fuels-immigration>

Highly destructive weapons should not be exported to civilians.

Whatever short term economic benefit those exports may generate is outweighed by the risk those weapons pose to the safety of peace officers and the rule of law.

We suggest a maximum limit on firepower exported to civilians. Firearms with a muzzle energy higher than 5,000 Joules should be barred from export to non-government end-users. (In ballistics, muzzle energy, commonly expressed in Joules or foot-pounds, is a measure of the destructive potential of a firearm or cartridge. Tables comparing the muzzle energies of various firearms are available on the Internet.)

See: *“Clear and Present Danger: National Security Experts Warn About the Danger of Unrestricted Sales of 50 Caliber Anti-Armor Sniper Rifles to Civilians”* (Violence Policy Center, July 2005), <http://www.vpc.org/studies/50danger.pdf>

Weapons of high destructive potential have no place on any street in the world, and they should be off-limits for export to civilians.

## **Policy Recommendations**

The following changes should be incorporated in the new rules:

1. Prohibit export of firearms, above a maximum limit of destructiveness, to civilian end-users, world-wide. A muzzle energy of 5,000 Joules (3,688 foot-pounds) is here proposed as the maximum limit.
2. Prohibit exports of firearms with muzzle energies less than 5,000 Joules, to civilian end-users, world-wide, if the firearm is likely to outmatch weapons carried by local peace officers or otherwise impair the efforts of peace officers to control crime and civil disturbance.

3. Recognize the police profession as a stakeholder in firearm exports. Give the profession a role in vetting license applications.

## **Technical Language**

The recommendations above may be translated into the EAR framework using the technical language below.

4. In 15 CFR Appendix Supplement No 1 to Part 738, the Commerce Country Chart, add a column 4 under crime control. Mark each country box to indicate that the crime control reason for control applies to all countries.

5. In 15 CFR 738.2 (d) (1), reason for control item 5. Amend item 5 to read (changes in CAPS):

5: Items warranting national security, CRIME CONTROL, or foreign policy controls at the determination of the Department of Commerce.

6. In 15 CFR 738.3 (a) (1) add a sentence that reads: A LICENSE IS REQUIRED FOR ALL DESTINATIONS FOR FIREARMS AND ASSOCIATED EQUIPMENT CONTROLLED UNDER ECCN 0A501, 0A502, 0A504, AND 0A505, WHICH ARE SUBJECT TO 15 CFR 742.7 (b) (2) or (b) (3).

7. In 15 CFR Appendix Supplement No 1 to Part 774, the Commerce Control List, add crime control as a reason for control under 0A501, 0A502, 0A504, and 0A505. CC column 4 (referred to above) should apply to each, entire entry. In each entry, insert: ALL ITEMS ARE SUBJECT TO THE CRIME CONTROL LICENSING POLICY IN 15 CFR 742.7 (b) (2) or (b) (3).

8. Amend 15 CFR 742.7 (b) to read as follows (changes in CAPS):



(b) Licensing policy.

(1) EXCEPT AS DESCRIBED IN (b) (2) and (b) (3) BELOW, applications for items controlled under this section will generally be considered favorably on a case-by-case basis unless there is civil disorder in the country or region or unless there is evidence that the government of the importing country may have violated internationally recognized human rights. The judicious use of export controls is intended to deter the development of a consistent pattern of human rights abuses, distance the United States from such abuses and avoid contributing to civil disorder in a country or region.

(2) A LICENSE APPLICATION FOR A FIREARM WITH MUZZLE ENERGY OF 5,000 JOULES (3,688 FOOT-POUNDS) OR MORE (AND EQUIPMENT ASSOCIATED WITH THE FIREARM) SHALL BE DENIED TO NON-GOVERNMENT END-USERS.

(3) A FIREARM WITH MUZZLE ENERGY LESS THAN 5,000 JOULES (3,688 FOOT-POUNDS), AND EQUIPMENT ASSOCIATED WITH THE FIREARM, MAY BE APPROVED TO NON-GOVERNMENT END-USERS UNLESS THE FIREARM WOULD TEND TO OUTMATCH WEAPONS NORMALLY CARRIED BY PEACE OFFICERS ON ROUTINE PATROL IN THE AREA WHERE THE WEAPON WOULD BE USED OR OTHERWISE IMPAIR THE EFFORTS OF PEACE OFFICERS IN THE AREA TO CONTROL CRIME AND CIVIL DISTURBANCE.

9. In 15 CFR Appendix Supplement No 2 to Part 730, Technical Advisory Committees, allow creation of a technical advisory committee with representation from the police profession to provide technical

advice on matters such as police procedure, public safety, peace officer safety, crime control, and control of civil disorder. At least two organizations in the United States -- one federal and the other state-based -- may be competent to give the Commerce Department technical advice on police standards outside the USA. They are the International Criminal Investigative Training Assistance Program, <https://www.justice.gov/criminal-icitap>, and the International Association of Directors of Law Enforcement Standards and Training, <https://www.iadlest.org>.

Thank you for the opportunity to submit comments on the proposed rules.

Sincerely,

Erick Williams, JD



# PUBLIC SUBMISSION

<b>As of:</b> 6/28/18 10:36 AM
<b>Received:</b> June 22, 2018
<b>Status:</b> Posted
<b>Posted:</b> June 28, 2018
<b>Tracking No.</b> 1k2-93v8-go4h
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0095

Public comment 87. Individual. S Crane. 6-22-18

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## Submitter Information

**Name:** Sheila Crane

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## General Comment

I am writing in opposition to moving export license oversight for firearms from the Department of State to the Department of Commerce because the proposed rule change treats semiautomatic assault rifles as non-military.

Such a categorization does not reflect reality. U.S. troops routinely use their military rifles in semiautomatic mode, these weapons are used by state and non-state groups in armed conflicts, and the civilian possession of such weapons is prohibited in many countries. The proposed rule also eliminates Congressional oversight for important gun export deals; transfers the cost of processing licenses from gun manufacturers to taxpayers; and, enables unchecked gun production in the U.S. and exports abroad by removing the block on 3D printing of firearms. The proposal reduces transparency and reporting on gun exports and transfers gun export licensing from an agency with a mission to promote stability, conflict reduction, and human rights, to an agency with a mission to promote trade and which lacks the resources to adequately enforce export controls.

Semi-automatic rifles are not appropriate for civilian populations. The Constitution does not guarantee the right to own weapons of mass destruction. The role of government is to protect its citizens and to combat the rise in mass killings of civilians that is directly tied to easy access to semi-automatic weapons.

# PUBLIC SUBMISSION

<b>As of:</b> 6/28/18 10:39 AM
<b>Received:</b> June 22, 2018
<b>Status:</b> Posted
<b>Posted:</b> June 28, 2018
<b>Tracking No.</b> 1k2-93v9-w2sl
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0096

Public comment 88. Individual. J Parker. 6-22-18

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## Submitter Information

**Name:** John Parker

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## General Comment

"I am writing in opposition to moving export license oversight for firearms from the Department of State to the Department of Commerce because the proposed rule change treats semiautomatic assault rifles as non-military. This is despite the fact that U.S. troops routinely use their military rifles in semiautomatic mode, these weapons are used by state and non-state groups in armed conflicts, and the civilian possession of such weapons is prohibited in many countries.

# PUBLIC SUBMISSION

<b>As of:</b> 6/28/18 10:41 AM
<b>Received:</b> June 22, 2018
<b>Status:</b> Posted
<b>Posted:</b> June 28, 2018
<b>Tracking No.</b> 1k2-93v9-78z9
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0097

Public comment 89. Anonymous. 6-22-18

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## Submitter Information

**Name:** anonymous Anonymous

---

## General Comment

I strongly support this proposed rule change. As it stands today, the regulations imposed upon small to medium sized businesses under ITAR are stifling to business. Most gunsmiths struggle to make a living without the added burden of unnecessary regulatory fees. The modern gunsmith will make his living performing functions like threading muzzles on hunting rifles, installing a new barrel, and minor repair work, none of which constitute manufacturing according to ATF, but which subject him to ITAR regulations and fees. This is a good change, to move the conventional local gunsmith away from these ridiculous burdens.

# PUBLIC SUBMISSION

<b>As of:</b> 6/28/18 11:38 AM
<b>Received:</b> June 22, 2018
<b>Status:</b> Posted
<b>Posted:</b> June 28, 2018
<b>Tracking No.</b> 1k2-93v9-gyhi
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0098

Public comment 90. Anonymous. 6-22-18

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## Submitter Information

**Name:** Anonymous Anonymous

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## General Comment

Today's action will take about 30 seconds.

**WHAT'S HAPPENING:** The Trump administration wants to transfer licensing and oversight of firearms exports from the State Department to the Commerce Department.

**WHAT IT MEANS:** The proposal weakens controls over semiautomatic assault weapons and may deregulate 3D printing of guns. It could also weaken controls on gun imports, which means more U.S. guns getting into the hands of criminal organizations, human rights abusers, and terrorist groups around the globe.

**WHO'S BEHIND THIS:** The NRA and the Newtown-based National Shooting Sports Foundation. Gun sales have fallen in the US, so they want to open up international markets. They are willing to spread our gun violence all over the world to boost gun industry profits.

**WHAT YOU CAN DO:** Copy this script and click on the links below to paste your comment.

Please submit your comments to both the Department of State and the Department of Commerce Bureau of Industry and Security (you can submit the same comment to each):

State: <https://www.regulations.gov/comment?D=DOS-2017-0046-0001>

Commerce: <https://www.regulations.gov/comment?D=BIS-2017-0004-0001>

**COPY SCRIPT:** "I oppose moving export license oversight for firearms from the Department of State to the Department of Commerce because the proposed rule change treats semiautomatic assault rifles as non-military. These weapons are used in armed conflicts, and the civilian possession of such weapons is prohibited in many countries. The proposed rule also: eliminates Congressional oversight for important gun export deals; transfers the cost of processing licenses from gun manufacturers to taxpayers; and, enables unchecked gun production in the U.S. and exports abroad by removing the block on 3D printing of firearms. The proposal reduces transparency and reporting on gun exports and transfers gun export licensing from an agency with a mission to promote stability, conflict reduction, and human rights, to an agency with a mission to promote trade and which lacks the resources to adequately enforce export controls.

Firearms kill a thousand people every day around the world in acts of organized crime, political violence, terrorism, and human rights violations. This is the kind of violence that sends refugees fleeing to our borders.

Arms exports must be subject to more controls, not fewer.

Let me know in the comments if you did it, and if it took you more than 30 seconds. Tell your friends. Thank you for your help to make America and our world less violent.

# PUBLIC SUBMISSION

<b>As of:</b> 6/28/18 11:42 AM
<b>Received:</b> June 22, 2018
<b>Status:</b> Posted
<b>Posted:</b> June 28, 2018
<b>Tracking No.</b> 1k2-93vd-70tu
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0099

Public comment 91. E Wight. 6-22-18

---

## Submitter Information

**Name:** Edward Wight

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225 Bryant Ave.

Roslyn, 11576-1153

**Email:** [nwight@uucsr.org](mailto:nwight@uucsr.org)

**Phone:** 5167179581

**Fax:** 11576-1153

---

## General Comment

As a pastor concerned about reducing violence in the world, I am writing to oppose moving export license oversight for firearms from the Department of State to the Department of Commerce. The proposed rule change treats semiautomatic assault rifles as non-military, yet such firearms are used to kill a thousand people every day around the world in acts of organized crime, political violence, terrorism, and human rights violations. They should be subject to rigorous controls.

# PUBLIC SUBMISSION

<b>As of:</b> 6/28/18 11:53 AM
<b>Received:</b> June 23, 2018
<b>Status:</b> Posted
<b>Posted:</b> June 28, 2018
<b>Tracking No.</b> 1k2-93vw-25kq
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0100

Public comment 92. S Stewart. 6-23-18

---

## Submitter Information

**Name:** Sarah Stewart

**Address:**

1045 U.S. Highway 89  
Gardiner, 59030

**Email:** sarahbstewart@yahoo.com

**Phone:** 4068489900

**Fax:** 59030

---

## General Comment

Please do not move export license oversight for firearms from the Department of State to the Department of Commerce because the proposed rule change treats semiautomatic assault rifles as non-military.

We are writing in opposition to moving export license oversight for firearms from the Department of State to the Department of Commerce because the proposed rule change treats semiautomatic assault rifles as non-military. This is despite the fact that U.S. troops routinely use their military rifles in semiautomatic mode, these weapons are used by state and non-state groups in armed conflicts, and the civilian possession of such weapons is prohibited in many countries. The proposed rule also: eliminates Congressional oversight for important gun export deals; transfers the cost of processing licenses from gun manufacturers to taxpayers; and, enables unchecked gun production in the U.S. and exports abroad by removing the block on 3D printing of firearms. The proposal reduces transparency and reporting on gun exports and transfers gun export licensing from an agency with a mission to promote stability, conflict reduction, and human rights, to an agency with a mission to promote trade and which lacks the resources to adequately enforce export controls.

Firearms are used to kill a thousand people every day around the world in acts of organized crime, political violence, terrorism, and human rights violations. They should be subject to more controls, not fewer.

Please do not move export license oversight for firearms from the Department of State to the Department of Commerce because the proposed rule change treats semiautomatic assault rifles as non-military.





# PUBLIC SUBMISSION

<b>As of:</b> 6/28/18 11:56 AM
<b>Received:</b> June 24, 2018
<b>Status:</b> Posted
<b>Posted:</b> June 28, 2018
<b>Tracking No.</b> 1k2-93w5-usow
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0101

Public comment 93. C Kamerman. 6-24-18

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## Submitter Information

**Name:** Cora Kamerman

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## General Comment

I am writing in opposition to moving export license oversight for firearms from the Department of State to the Department of Commerce. The proposed rule also: eliminates Congressional oversight for important gun export deals; transfers the cost of processing licenses from gun manufacturers to taxpayers; and, enables unchecked gun production in the U.S. and exports abroad by removing the block on 3D printing of firearms. The proposal reduces transparency and reporting on gun exports and transfers gun export licensing from an agency with a mission to promote stability, conflict reduction, and human rights, to an agency with a mission to promote trade and which lacks the resources to adequately enforce export controls.

# PUBLIC SUBMISSION

<b>As of:</b> 6/28/18 12:00 PM
<b>Received:</b> June 24, 2018
<b>Status:</b> Posted
<b>Posted:</b> June 28, 2018
<b>Tracking No.</b> 1k2-93wd-7162
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0102

Public comment 94. Individual. K MacLaurin. 6-24-18

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## Submitter Information

**Name:** Kirby MacLaurin

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## General Comment

To: Secretary of Commerce Wilbur Ross

Please reverse the proposed regulations that would weaken end-use controls, enable production of 3D weapons anywhere, make it easier to export semi-automatic weapons and ammunition, and eliminate Congressional oversight of these sales. America is not safer with a heavily armed third world - violence increases in these places, and our borders are flooded with refugees trying to escape the violence. We have also seen the effects of these weapons in U.S. shootings, and know they are used around the world to kill and attack hundreds of people every day in violent crime, wars, and political violence. U.S. export controls for weapons used in violence should be made stronger, not weaker.

# PUBLIC SUBMISSION

<b>As of:</b> 6/28/18 12:05 PM
<b>Received:</b> June 24, 2018
<b>Status:</b> Posted
<b>Posted:</b> June 28, 2018
<b>Tracking No.</b> 1k2-93wk-i5on
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0103

Public comment 95. Individual. G Patton. 6-25-18

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## Submitter Information

**Name:** Gary Patton

---

## General Comment

The change in regulations controlling the distribution of firearms overseas is a transparent and cynical effort to boost gun sales during a down market. Making a profit based on the spilling of blood of others is truly immoral and despicable.

# PUBLIC SUBMISSION

<b>As of:</b> 6/28/18 12:08 PM
<b>Received:</b> June 24, 2018
<b>Status:</b> Posted
<b>Posted:</b> June 28, 2018
<b>Tracking No.</b> 1k2-93wl-shls
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0104

Public comment 96. Individual. J Godwin. 6-24-18

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## Submitter Information

**Name:** Jason Godwin

---

## General Comment

I strongly support the oversight of commonly used hunting and sporting firearms being moved to the department of commerce. The regulations associated with the usml place an unreasonable burden on gunsmiths and federally licensed gun dealers trying to earn a living and support lawful gun ownership.

# PUBLIC SUBMISSION

<b>As of:</b> 7/17/18 4:15 PM
<b>Received:</b> June 24, 2018
<b>Status:</b> Posted
<b>Posted:</b> June 28, 2018
<b>Tracking No.</b> 1k2-93wm-wwbi
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0105

Public comment 97. Individual. B Watts. 6-24-18

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## Submitter Information

**Name:** Bryan Watts

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## General Comment

I think this rule should change. To free up the burden of ITAR fees on small gun manufacturers. Building a few rifles a year for law abiding citizens should not be something to be punished for.

# PUBLIC SUBMISSION

<b>As of:</b> 7/17/18 4:37 PM
<b>Received:</b> July 04, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 17, 2018
<b>Tracking No.</b> 1k2-9438-7hah
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1678

Public comment 98. Individual. Seren Bradshaw. 7-4-18

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## Submitter Information

**Name:** Seren Bradshaw

---

## General Comment

I oppose this rule change that would switch the regulations of firearms export from the U.S. State Department to the U.S. Commerce Department. Military-style weapons should NOT be available for sale to the general public, of this country or any other country. They most definitely should remain under the control of the US Munitions List.

# PUBLIC SUBMISSION

<b>As of:</b> 7/17/18 4:16 PM
<b>Received:</b> June 24, 2018
<b>Status:</b> Posted
<b>Posted:</b> June 28, 2018
<b>Tracking No.</b> 1k2-93wr-j4ad
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0107

Public comment 99. Individual. J Masterson.6-24-18

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## Submitter Information

**Name:** Jade Masterson

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## General Comment

To: Secretary of Commerce Wilbur Ross

We urge you to reverse the proposed regulations that would make it easier to export semi-automatic weapons and ammunition, eliminate Congressional oversight of these sales, weaken end-use controls, and enable production of 3D weapons anywhere. We have seen the effects of these weapons in U.S. shootings, and know they are used around the world to kill and attack hundreds of people every day in violent crime, wars, and political violence. U.S. export controls for weapons used in violence should be made stronger, not weaker.

Information Sources:

[1] The Washington Post, The Trump administration wants to make it easier to sell U.S. guns abroad. Heres what you need to know June 4, 2018. [https://www.washingtonpost.com/news/monkey-cage/wp/2018/06/04/the-trump-administration-wants-to-make-it-easier-to-sell-u-s-guns-abroad-heres-what-you-need-to-know/?](https://www.washingtonpost.com/news/monkey-cage/wp/2018/06/04/the-trump-administration-wants-to-make-it-easier-to-sell-u-s-guns-abroad-heres-what-you-need-to-know/?utm_term=.cdb39dd2a669)

[utm\\_term=.cdb39dd2a669](https://www.washingtonpost.com/news/monkey-cage/wp/2018/06/04/the-trump-administration-wants-to-make-it-easier-to-sell-u-s-guns-abroad-heres-what-you-need-to-know/?utm_term=.cdb39dd2a669)

[2] Salon, U.S. gun industry wants a bigger piece of the worlds arms trade, June 1, 2018.

<https://www.salon.com/2018/06/01/u-s-gun-industry-wants-a-bigger-piece-of-the-worlds-arms-trade/>

[3] State Department public comment site: [https://www.regulations.gov/document?D=DOS\\_FRDOC\\_0001-4527](https://www.regulations.gov/document?D=DOS_FRDOC_0001-4527)

Commerce Department public comment site: <https://www.regulations.gov/document?D=BIS-2017-0004-0001>

# PUBLIC SUBMISSION

<b>As of:</b> 6/28/18 12:19 PM
<b>Received:</b> June 25, 2018
<b>Status:</b> Posted
<b>Posted:</b> June 28, 2018
<b>Tracking No.</b> 1k2-93x2-nvp8
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0108

Public comment 100. Individual. L Sokoloski.6-25-18

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## Submitter Information

**Name:** Laura Sokoloski

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## General Comment

I oppose the relaxing of rules regarding the export of assault rifles and other arms by U.S. firearm manufacturers, and urge the Commerce and State Departments to oppose these as well. Exporting more arms is not going to help make the world a more peaceful place, especially assault rifles, instead an increased prevalence of firearms simply increases hostilities and leads to more gun related violence and deaths. Exporting an additional 70,000 arms annually will only increase the death toll from 1,000 gun related deaths worldwide every year. This is not something I can support in good conscience.



# PUBLIC SUBMISSION

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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0109

Public comment 101. Anonymous. 6-25-18

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## Submitter Information

**Name:** Anonymous Anonymous

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## General Comment

I see moving this from the Dept of State to the Dept of Commerce as a smart move. As someone who is about to become an FFL/SOT I see no reason to to pay the high registration fee's as i will not be exporting anything and assembling AR15 kits is considered manufacturing. Both activities dont justify itar fees or the complicated compliance. Lets help out small businesses by making this happen.

# PUBLIC SUBMISSION

<b>As of:</b> 6/28/18 12:25 PM
<b>Received:</b> June 25, 2018
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<b>Posted:</b> June 28, 2018
<b>Tracking No.</b> 1k2-93x8-4q3f
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> API

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0110

Public comment 102. Individual. R Walker. 6-25-18

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## Submitter Information

**Name:** ROB WALKER

**Address:**

PA,

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## General Comment

i STRONGLY ENCOURAGE THE ADOPTION OF THE NEW RULE CHANGES TO THE INDUSTRY AND SECURITY BUREAU. THIS NEEDED TO HAPPEN A LONG TIME AGO. U.S. BUSINESSES CAN NOW COMPETE GLOBALLY.

# PUBLIC SUBMISSION

<b>As of:</b> 6/28/18 12:29 PM
<b>Received:</b> June 25, 2018
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<b>Tracking No.</b> 1k2-93x9-woec
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0111

Public comment 103. Individual. P Kober. 6-25-18

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## Submitter Information

**Name:** Philip Kober, JD, MD, PhD

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apt. #2

Fitchburg, WI, 53711

**Email:** doclawpmk@live.com

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**Fax:** 53711

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## General Comment

I am writing in opposition to moving export license oversight for firearms from the Department of State to the Department of Commerce because the proposed rule change treats semiautomatic assault rifles as non-military. This is despite the fact that U.S. troops routinely use their military rifles in semiautomatic mode, these weapons are used by state and non-state groups in armed conflicts, and the civilian possession of such weapons is prohibited in many countries. As a physician, I categorically can state that the harm to human beings is no different between semiautomatic and fully automatic weapons. The energy transferred to the bullet is what is important, along with other characteristics such as yawing of the bullet on impact (tumbling), explosive ammunition, and other such characteristics. The only difference between and automatic weapon and a semiautomatic weapon is that the automatic continues to fire simply by holding the trigger down, whereas the trigger must be pulled for each shot for the semiautomatic. The rest of the mechanical actions involved are the same. They both have high velocity, and characteristics of the ammunition that make them deadly to many, many people over a short period of time. The proposed rule also: eliminates Congressional oversight for important gun export deals; transfers the cost of processing licenses from gun manufacturers to taxpayers; and, enables unchecked gun production in the U.S. and exports abroad by removing the block on 3D printing of firearms. The proposal reduces transparency and reporting on gun exports and transfers gun export licensing from an agency with a mission to promote stability, conflict reduction, and human rights, to an agency with a mission to promote trade and which lacks the resources to adequately enforce export controls. All of these provisions are DEADLY, and should not be adopted.

Firearms are used to kill a thousand people every day around the world in acts of organized crime, political violence, terrorism, and human rights violations. They should be subject to more controls, not fewer.

# PUBLIC SUBMISSION

<b>As of:</b> 6/28/18 12:32 PM
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<b>Tracking No.</b> 1k2-93xa-th6n
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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0112

Public comment 104. Individual. C Landale. 6-25-18

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## Submitter Information

**Name:** Carol Landale

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## General Comment

I oppose moving export license oversight for firearms from the Department of State to the Department of Commerce because, amongst other things, the proposed rule change treats semiautomatic assault rifles as non-military." Firearms kill a thousand people every day around the world in acts of organized crime, political violence, terrorism, and human rights violations. This is the kind of violence that sends refugees fleeing to our borders. Arms exports must be subject to more controls, not fewer.

The proposed rule eliminates Congressional oversight for important gun export deals; transfers the cost of processing licenses from gun manufacturers to taxpayers; and, enables unchecked gun production in the U.S. and exports abroad by removing the block on 3D printing of firearms.

The proposal reduces transparency and reporting on gun exports and transfers gun export licensing from an agency with a mission to promote stability, conflict reduction, and human rights, to an agency with a mission to promote trade and which lacks the resources to adequately enforce export controls.

The US has already alienated many of our allies. This rule change adds to the insults already made. Why are there so many immigrants trying to escape gun violence in Central America? More arms to countries like Nicaragua and Honduras will only exacerbate the problem.

# PUBLIC SUBMISSION

<b>As of:</b> 6/28/18 12:35 PM
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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0113

Public comment 105. Individual. H Garlington. 6-26-18

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## Submitter Information

**Name:** Hensley Garlington

**Address:**

101 Lake Rd

Jena, LA, 71342

**Email:** hbgarlington@live.com

**Phone:** 3183314978

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## General Comment

I support this change to ease restrictions on exports.

## PUBLIC SUBMISSION

<b>As of:</b> 6/28/18 12:38 PM
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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0114

Public comment 106. Individual. P Carr. 6-27-18

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### Submitter Information

**Name:** Phil Carr

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### General Comment

I am in agreement with the proposed changes, but would like to ask that the subject of temporary export of firearms, specifically vintage shotguns with barrel lengths over 18 to Canada be clearly addressed.

Although there is information addressing the temporary import of firearms, parts, and accessories in to the US it is less clear on temporary exports out of he US.

There is direction provided for a person traveling out of he country to Canada or other countrys that are transporting their firearms with them but, It is next to impossible to navigate through regulations to try and legally (export) ship a vintage sporting shotgun to Canada to have work performed.

There are thousands of collectors such as myself which need a straight forward, easy to understand process that assures us a way to send a vintage post 1890 shotgun temporarily out of the country, have work performed and returned to us. There are companys that you can hire to perform such temporary export/import but it is very expensive and run into thousands of dollars. Further even amongst these companys there are differences in the understanding of the regulations.

I have called and written to ATF concerning the export/import requirements and the short one line response was You should contact the state department about exportation at 202-663-1282.

I have spoken with representatives from the DOC and they have been freindly and helpful. That said I dont feel most individuals such as myself can feel comfortable shipping a firearm and be assured they are following the legal process.

An example of confusion is that the ATF 27 CFR 478.92 calls out a requirement to mark firearms being imported.

Some of the firearms Import companys but not all have interpeted this to mean that even valuable rare vintage firearms must have the importers name and address clearly marked on the shotgun. This destroys the originality and effects the value of the firearm that was temporarily exported. There seems to be of no valued reason to mark these firearms.

After all if I was to fly to Canada and take the firearm with me to have the work performed there is no requirement to perform such intrusive markings.

I have attached a picture of a firearm to show the markings I am referring to, clearly a permanent engraving that permanently damaged a historic shotgun of which there was less than 40 made.

I fail to understand the value of marking pre-owned firearms whether temporarily exported/imported or even firearms purchased and exported to the United States which were originally manufactured in the US.

Because shotguns fall under the DOC, the ATF will not clarify the requirement on shotguns it creates confusion. The ATF refers me back to the State Department, and the DOC does not list any requirements. It is important that any markings be clarified by the DOC, if there is no such requirement.

I respectfully request that the temporary export and then reimport of vintage firearms be reviewed specifically as it applies to shotguns.

This would allow many of our collectors and associations of these vintage shotguns a clear procedure in which to utilize the fine craftsman and gunsmiths in Canada for repair, wood and metal work.much of this work a dying art.

Sincerly,  
Phil Carr

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## Attachments

EA01C2BB-14A8-4476-8801-AE0391C57FDA

83889850-A1AF-43DE-9DCC-BAB1D034E878





# PUBLIC SUBMISSION

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<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0115

Public comment 107. Anonymous. 6-27-18

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## Submitter Information

**Name:** Anonymous Anonymous

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## General Comment

I believe the USML causes undue financial harm to any small business that wants to perform many of the duties listed. The cost is prohibitive to most people. The ITAR fee is a way of control by finance rather than laws. 99.9% of people will never come close to being an exporter.

## PUBLIC SUBMISSION

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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0116

Public comment 108. Individuals. W Root and E Williams. 6-27-18 Note: This is a copy of the comments submitted to the Department of State on the ITAR amendments

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### Submitter Information

**Name:** Erick Williams

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1209 Old Hickory

East Lansing, MI, 48823

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### General Comment

This is a copy of the comments submitted to the Department of State on the ITAR amendments

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### Attachments

ITAR amendment comments June 27, 2018



William A. Root  
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Erick Williams, JD  
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June 27, 2018

US Department of State  
Bureau of Political Military Affairs  
Directorate of Defense Trade Control  
[DDTCPublicComments@state.gov](mailto:DDTCPublicComments@state.gov)  
<http://www.regulations.gov>

Re: ITAR Amendment—Categories I, II, and III DDTC

Greetings:

These are comments on the Department of State's proposed rule to amend the International Traffic in Arms Regulations (ITAR) and categories I, II and III of the US Munitions List (USML). 83 Federal Register 24166, May 24, 2018.

## **Background**

The ITAR amendment should be revised to better support the rule of law.

The Arms Control and Disarmament Act, at 22 USC 2551, declares:

An ultimate goal of the United States is a world ... in which the use of force has been subordinated to the rule of law ...

No profession is more closely identified with the rule of law than the police profession. Peace officers are the street-level keepers of the law, all over the world. If the United States is committed to “subordinating the use of force to the

rule of law”, it must protect the environment in which peace officers do their work. When armed gangs can overpower local peace officers, local communities become war zones where the rule of law is subordinated to the use of force.

We fail to protect peace officers when we put highly destructive weapons in the hands of civilians who target the police.

The ITAR amendment, as proposed, will make it easier to put firearms in the hands of civilians and armed gangs that are superior to those carried by local peace officers, thus threatening the rule of law in local communities. In several parts of the world, armed gangs are impairing the rule of law, and their activities cross borders. Notorious examples of the adverse effects of firearm proliferation can be seen in Africa and the Middle East, as well as closer to home – in Central America and Mexico, with adverse effects along the southern border of the United States.

See: Alec MacGillis, *“America's Wild-West Gun Laws Are Helping Fuel The Border Crisis: The Unwanted Traffic Between The US And Central America Goes Both Ways”* (New Republic, July 21, 2014), <https://newrepublic.com/article/118759/nra-and-gun-trafficking-are-adding-fuel-border-migrant-crisis>

Robert Muggah and Steven Dudley, Op-Ed: *“The Latin American Gun Leak”*, (Los Angeles Times, January 16, 2015), <http://www.latimes.com/opinion/op-ed/la-oe-muggah-arming-latin-america-20150118-story.html>

*“Attacks against Peacekeepers”* (United Nations OHCHR, May 2017), <https://www.ohchr.org/Documents/Countries/CF/Mapping2003-2015/Factsheet7-EN.pdf>

*“Attacks against civilians and MINUSCA peacekeepers in the town of Bangassou in the Central African Republic”* (Office of the Spokesperson for the UN Secretary-General, May 14, 2017) <https://www.un.org/sg/en/content/statement/2017-05-14/statement-attributable-spokesman-secretary-general-attacks-against>

Alex Yablon, *“American Guns Drive the Migrant Crisis that Trump Wants to Fix with a Wall”* (Trace, May 25, 2017) <https://www.thetrace.org/2017/05/gun-trafficking-central-america-immigrant-crisis-trump-wall/>

Jonathan Blitzer, *“The Link Between America’s Lax Gun Laws and the Violence That Fuels Immigration”* (New Yorker, March 22, 2018),

<https://www.newyorker.com/news/news-desk/the-link-between-americas-lax-gun-laws-and-the-violence-that-fuels-immigration>

See: “*Clear and Present Danger: National Security Experts Warn about the Danger of Unrestricted Sales of 50 Caliber Anti-Armor Sniper Rifles to Civilians*” (Violence Policy Center, July 2005), <http://www.vpc.org/studies/50danger.pdf>

ITAR should focus more attention on the security needs of local communities where firearms are proposed to be exported.

The Department of State is liberalizing its rules on firearm exports partly because the Department of Defense has determined that so-called semi-automatic firearms are of diminished importance in military conflicts. DoD’s determination may well be valid, but it misses the point. Military analysts worry, as they should, about the impact of weapons on the battlefield. But evaluating the impact of firearms on the battlefield gives short shrift to the security needs of civilian communities. To support the rule of law we must consider the impact of firearms on public safety, peace officer safety, crime control, and the prevention and management of civil disturbances. Firearms that “no longer warrant control” by the military may nonetheless overwhelm police patrols and threaten the rule of law in local communities.

ITAR should not treat the US firearms market as the global standard. The United States is proposing to liberalize its rules on firearm exports grounded partly on the false premise that firearms are “widely available in retail outlets ... abroad.” That is not true. The US firearms market is unique. Mexico, for example, has more restrictive gun laws than the United States.

See: Topher McDougal, David A. Shirk, Robert Muggah and John H. Patterson, “*The Way of the Gun: Estimating Firearms Traffic Across the US-Mexico Border*” (Trans-Border Institute, University of San Diego, March 2013), [https://igarape.org.br/wp-content/uploads/2013/03/Paper\\_The\\_Way\\_of\\_the\\_Gun\\_web2.pdf](https://igarape.org.br/wp-content/uploads/2013/03/Paper_The_Way_of_the_Gun_web2.pdf)

Zachary Elkins, Tom Ginsburg & James Melton, “*US Gun Rights Truly Are American Exceptionalism*”, (Bloomberg, March 7, 2013), <https://www.bloomberg.com/view/articles/2013-03-07/u-s-gun-rights-truly-are-american-exceptionalism>

The United States risks alienating friendly foreign nations by projecting its permissive domestic gun laws abroad.

The Department of State has access to information about what kinds of weapons are typically carried by patrol officers in foreign countries. The Department has the wherewithal to judge whether a firearm proposed for export is likely to outmatch the firearms carried by local police forces. The Department should use that knowledge -- and make that judgment -- as it evaluates firearm export applications.

In evaluating the suitability of firearm exports, the ITAR should set a maximum limit on the destructive potential of firearms exportable to civilians. Firearms with muzzle energies higher than, for example, 5,000 Joules should be barred from export to non-government end-users. (In ballistics, muzzle energy, commonly expressed in Joules or foot-pounds, is a measure of the destructive potential of a firearm or cartridge.) The risk that a firearm poses to life and property -- and the danger it poses to police officers -- depends rather more on the firearm's destructive potential and rather less on whether the firearm is automatic, semi-automatic, non-automatic, not-fully-automatic, or over- or under .50-caliber.

Highly destructive weapons should be off-limits for export to civilians. Whatever short-term economic benefit those exports may generate is outweighed by the risk those weapons pose to the safety of peace officers and the rule of law. No firearm with a muzzle energy of 5,000 J belongs on a street anywhere in the world.

### **Policy Recommendations**

The following changes should be incorporated in ITAR:

1. Applications for firearm export licenses should be denied when the firearm proposed for export is of such destructive potential as to threaten the safety of local law enforcement officers.
2. Prohibit exports of firearms with muzzle energies less than 5,000 J, to civilian end-users, world-wide, if the firearm is likely to outmatch weapons carried by local peace officers or otherwise impair the efforts of peace officers to control crime and civil disturbance.
3. Prohibit export of firearms with muzzle energies above 5,000 J to civilian end-users world-wide.

## **Technical Language**

The recommendations above may be translated into the ITAR framework using the technical language below.

(1)

22 CFR 120.4

Add a Note 3 to 22 CFR 120.4 as follows:

FOR FIREARMS AND AMMUNITION, PERFORMANCE CAPABILITY INCLUDES DESTRUCTIVE POTENTIAL, AS MEASURED BY MUZZLE ENERGY, COMMONLY EXPRESSED IN JOULES OR FOOT-POUNDS.

(2)

22 CFR 121.1, Category I

Add Note 3 to Category I of 22 CFR 121.1 as follows:

(a) SUBJECT TO (b) AND (c), APPLICATIONS FOR ITEMS CONTROLLED UNDER THIS CATEGORY WILL GENERALLY BE CONSIDERED FAVORABLY ON A CASE-BY-CASE BASIS UNLESS THERE IS CIVIL DISORDER IN THE COUNTRY OR REGION OR UNLESS THERE IS EVIDENCE THAT THE GOVERNMENT OF THE IMPORTING COUNTRY MAY HAVE VIOLATED INTERNATIONALLY RECOGNIZED HUMAN RIGHTS. THE JUDICIOUS USE OF EXPORT CONTROLS IS INTENDED TO DETER THE DEVELOPMENT OF A CONSISTENT PATTERN OF HUMAN RIGHTS ABUSES, DISTANCE THE UNITED STATES FROM



SUCH ABUSES AND AVOID CONTRIBUTING TO CIVIL DISORDER IN A COUNTRY OR REGION.

(b) A LICENSE APPLICATION FOR A FIREARM OR AMMUNITION WITH MUZZLE ENERGY OF 5,000 JOULES (3,688 FOOT-POUNDS) OR MORE, OR ASSOCIATED EQUIPMENT, SHALL BE DENIED TO NON-GOVERNMENT END-USERS.

(c) A FIREARM, AND AMMUNITION, WITH MUZZLE ENERGY LESS THAN 5,000 JOULES (3,688 FOOT-POUNDS), AND ASSOCIATED EQUIPMENT, MAY BE APPROVED TO NON-GOVERNMENT END-USERS UNLESS THE FIREARM WOULD TEND TO OUTMATCH WEAPONS NORMALLY CARRIED BY LAW ENFORCEMENT OFFICERS ON ROUTINE PATROL IN THE AREA WHERE THE WEAPON WOULD BE AUTHORIZED FOR USE OR OTHERWISE IMPAIR THE EFFORTS OF LAW ENFORCEMENT OFFICERS IN THE AREA TO CONTROL CRIME AND CIVIL DISTURBANCE.

(3)

22 CFR 121.1, category II

Add a Note 3 to category II of 22 CFR 121.1, paragraph (a), as follows:

(a) SUBJECT TO (b) AND (c), APPLICATIONS FOR ITEMS CONTROLLED UNDER THIS CATEGORY WILL GENERALLY BE CONSIDERED FAVORABLY ON A CASE-BY-CASE BASIS UNLESS THERE IS CIVIL DISORDER IN THE COUNTRY OR REGION OR UNLESS THERE IS EVIDENCE THAT THE GOVERNMENT OF THE IMPORTING COUNTRY MAY HAVE VIOLATED INTERNATIONALLY

RECOGNIZED HUMAN RIGHTS. THE JUDICIOUS USE OF EXPORT CONTROLS IS INTENDED TO DETER THE DEVELOPMENT OF A CONSISTENT PATTERN OF HUMAN RIGHTS ABUSES, DISTANCE THE UNITED STATES FROM SUCH ABUSES AND AVOID CONTRIBUTING TO CIVIL DISORDER IN A COUNTRY OR REGION.

(b) A LICENSE APPLICATION FOR A FIREARM OR AMMUNITION WITH MUZZLE ENERGY OF 5,000 JOULES (3,688 FOOT-POUNDS) OR MORE, OR ASSOCIATED EQUIPMENT, SHALL BE DENIED TO NON-GOVERNMENT END-USERS.

(c) A FIREARM, AND AMMUNITION, WITH MUZZLE ENERGY LESS THAN 5,000 JOULES (3,688 FOOT-POUNDS), AND ASSOCIATED EQUIPMENT, MAY BE APPROVED TO NON-GOVERNMENT END-USERS UNLESS THE FIREARM WOULD TEND TO OUTMATCH WEAPONS NORMALLY CARRIED BY LAW ENFORCEMENT OFFICERS ON ROUTINE PATROL IN THE AREA WHERE THE WEAPON WOULD BE AUTHORIZED FOR USE OR OTHERWISE IMPAIR THE EFFORTS OF LAW ENFORCEMENT OFFICERS IN THE AREA TO CONTROL CRIME AND CIVIL DISTURBANCE.

(4)

22 CFR 121.1, category III

Add a new paragraph 4 to notes to category III of 22 CFR 121.1, as follows:

(a) SUBJECT TO (b) AND (c), APPLICATIONS FOR ITEMS CONTROLLED UNDER THIS CATEGORY WILL

GENERALLY BE CONSIDERED FAVORABLY ON A CASE-BY-CASE BASIS UNLESS THERE IS CIVIL DISORDER IN THE COUNTRY OR REGION OR UNLESS THERE IS EVIDENCE THAT THE GOVERNMENT OF THE IMPORTING COUNTRY MAY HAVE VIOLATED INTERNATIONALLY RECOGNIZED HUMAN RIGHTS. THE JUDICIOUS USE OF EXPORT CONTROLS IS INTENDED TO DETER THE DEVELOPMENT OF A CONSISTENT PATTERN OF HUMAN RIGHTS ABUSES, DISTANCE THE UNITED STATES FROM SUCH ABUSES AND AVOID CONTRIBUTING TO CIVIL DISORDER IN A COUNTRY OR REGION.

(b) A LICENSE APPLICATION FOR AMMUNITION WITH MUZZLE ENERGY OF 5,000 JOULES (3,688 FOOT-POUNDS) OR MORE, OR ASSOCIATED EQUIPMENT, SHALL BE DENIED TO NON-GOVERNMENT END-USERS.

(c) AMMUNITION, WITH MUZZLE ENERGY LESS THAN 5,000 JOULES (3,688 FOOT-POUNDS) MAY BE APPROVED TO NON-GOVERNMENT END-USERS UNLESS THE FIREARM WOULD TEND TO OUTMATCH WEAPONS NORMALLY CARRIED BY LAW ENFORCEMENT OFFICERS ON ROUTINE PATROL IN THE AREA WHERE THE WEAPON WOULD BE AUTHORIZED FOR USE OR OTHERWISE IMPAIR THE EFFORTS OF LAW ENFORCEMENT OFFICERS IN THE AREA TO CONTROL CRIME AND CIVIL DISTURBANCE.

(5)

15 CFR 124.14 (c) (9)

Amend 15 CFR 124.14 (c) (9) as follows:

(a) Unless the articles covered by the agreement are in fact intended to be distributed to private persons or entities (e.g., cryptographic devices and software for financial and business applications), the following clause must be included in all warehousing and distribution agreements: “Sales or other transfers of the licensed article shall be limited to governments of the countries in the distribution territory and to private entities seeking to procure the licensed article pursuant to a contract with a government within the distribution territory, unless the prior written approval of the U.S. Department of State is obtained.

(b) SUBJECT TO (c) AND (d), APPLICATIONS FOR ITEMS CONTROLLED UNDER THIS CATEGORY WILL GENERALLY BE CONSIDERED FAVORABLY ON A CASE-BY-CASE BASIS UNLESS THERE IS CIVIL DISORDER IN THE COUNTRY OR REGION OR UNLESS THERE IS EVIDENCE THAT THE GOVERNMENT OF THE IMPORTING COUNTRY MAY HAVE VIOLATED INTERNATIONALLY RECOGNIZED HUMAN RIGHTS. THE JUDICIOUS USE OF EXPORT CONTROLS IS INTENDED TO DETER THE DEVELOPMENT OF A CONSISTENT PATTERN OF HUMAN RIGHTS ABUSES, DISTANCE THE UNITED STATES FROM SUCH ABUSES AND AVOID CONTRIBUTING TO CIVIL DISORDER IN A COUNTRY OR REGION.

(c) A LICENSE APPLICATION FOR A FIREARM OR AMMUNITION WITH MUZZLE ENERGY OF 5,000 JOULES (3,688 FOOT-POUNDS) OR MORE, OR ASSOCIATED

EQUIPMENT, SHALL BE DENIED TO NON-GOVERNMENT END-USERS.

(d) A FIREARM, AND AMMUNITION, WITH MUZZLE ENERGY LESS THAN 5,000 JOULES (3,688 FOOT-POUNDS), AND ASSOCIATED EQUIPMENT, MAY BE APPROVED TO NON-GOVERNMENT END-USERS UNLESS THE FIREARM WOULD TEND TO OUTMATCH WEAPONS NORMALLY CARRIED BY LAW ENFORCEMENT OFFICERS ON ROUTINE PATROL IN THE AREA WHERE THE WEAPON WOULD BE AUTHORIZED FOR USE OR OTHERWISE IMPAIR THE EFFORTS OF LAW ENFORCEMENT OFFICERS IN THE AREA TO CONTROL CRIME AND CIVIL DISTURBANCE.

(6)

22 CFR Part 126, Supplement No. 1

In 22 CFR Part 126, Supplement No. 1, category I (a-e) (firearms and related articles), mark all three country boxes with an X.

In 22 CFR Part 126, Supplement No. 1, category II (a) (guns and armament), mark all three country boxes with an X.

In 22 CFR Part 126, Supplement No. 1, category III (ammunition and ordinance), mark all three country boxes with an X.

(7)

22 CFR 129.7 (b)

Amend 22 CFR 129.7 (b) to add the following:

(b) No person may engage in or make a proposal to engage in brokering activities that involve any country, area, or person referred to in § 126.1 of this subchapter without first obtaining the approval of the Directorate of Defense Trade Controls. NO PERSON MAY ENGAGE IN OR MAKE A PROPOSAL TO ENGAGE IN BROKERING ACTIVITIES THAT INVOLVE EXPORTING OR TRANSFERRING, TO A NON-GOVERNMENT PERSON, A FIREARM OR AMMUNITION WITH MUZZLE ENERGY GREATER THAN 5,000 JOULES (3,688 FOOT-POUNDS), OR ASSOCIATED EQUIPMENT. NO PERSON MAY ENGAGE IN OR MAKE A PROPOSAL TO ENGAGE IN BROKERING ACTIVITIES THAT INVOLVE EXPORT OR TRANSFER, TO A NON-GOVERNMENT PERSON, OF A FIREARM OR AMMUNITION WITH MUZZLE ENERGY LESS THAN 5,000 JOULES (3,688 FOOT-POUNDS) OR ASSOCIATED EQUIPMENT IF THE ITEM IS LIKELY TO OUTMATCH LAW ENFORCEMENT OFFICERS ON ROUTINE PATROL IN THE AREA WHERE THE ARTICLE WOULD BE AUTHORIZED FOR USE.

Thank you for the opportunity to submit comments on the ITAR amendment.

Sincerely,

William A. Root  
Erick Williams

## PUBLIC SUBMISSION

<b>As of:</b> 7/10/18 2:34 PM
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<b>Status:</b> Posted
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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0188

Public comment 109 . NRA C. Zealand 7-6-18

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### Submitter Information

**Name:** NRA ILA

**Address:**

11250 Waples Mill Rd  
Fairfax, VA, 22030

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### General Comment

See attached file(s)

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### Attachments

Export-Reform\_Cats. I-III\_Final



NATIONAL RIFLE ASSOCIATION OF AMERICA  
INSTITUTE FOR LEGISLATIVE ACTION  
11250 WAPLES MILL ROAD  
FAIRFAX, VIRGINIA 22030



July 6, 2018

Mr. Robert Monjay  
Office of Defense Trade Controls  
United States Department of State  
2401 E Street, Northwest  
Washington, District of Columbia 20226

Via Online Submission: <https://www.regulations.gov/docket?D=DOS-2017-0046>

**Re: Docket No. DOS-2017-0046; RIN 1400-AE30; International Traffic in Arms  
Regulations: U.S. Munitions List Categories I, II, and III**

Dear Mr. Monjay:

I am writing on behalf of the National Rifle Association (NRA) to provide the association's comments on the above proposed rule (the proposal). With some six million dues-paying members, the NRA is America's premier defender of the civil right protected by the Second Amendment. Our members include individuals and businesses that would be directly affected by the changes in the proposal, including gunsmiths, firearm instructors, journalists and writers covering firearm technology and development, hunters, competitive shooters, and manufacturers.

The NRA is very pleased to see that the project of Export Reform has finally circled back to the place where it began, with proposed amendments to Categories I, II, and III of the U.S. Munitions List (USML). These were among the first of the changes planned for the large-scale undertaking to update export controls on dual-use items, and rightly so. The Second Amendment protects an individual right to possess and carry firearms in case of confrontation, extending to



arms in common use among the population for lawful purposes.<sup>1</sup> America boasts hundreds of millions of privately-owned firearms<sup>2</sup> and a robust “gun culture” that has produced countless books, magazine articles, videos, websites, online forums, etc., that exhaustively detail firearm technology and use. It is difficult to imagine any information about the design, development, production, manufacturing, and use of firearms that is not already within the public domain. This same information is commonly available overseas, as are the types of firearms and ammunition the proposal would move off the USML and onto the Commerce Control List (CCL). Meanwhile, the might and sophistication of the U.S. military – as well as America’s armed populace – ensure that no foreign enemy wielding the type of arms at issue in these proposed amendments to the USML could pose a serious threat to this nation’s security.

Of course, movement of commonly-available firearms and ammunition to the CCL would not leave their export unregulated. America already has one of the most well-established and closely-administered systems of regulation for commercial production and distribution of firearms and ammunition in the world, and the proposal would not change that. It is clear from the companion rulemaking published by the Commerce Department that items moving off the USML would remain closely controlled, with the necessity of export licenses remaining the norm. Foreign individuals’ access to firearms and ammunition would also remain regulated under the federal Gun Control Act and the National Firearms Act. Furthermore, the Commerce Department has long regulated exports of various shotguns, as well as their parts, components, accessories, and ammunition. Thus, it has existing knowledge of and relationships with many of the entities the proposal will affect. Those entities, in turn, will also have some familiarity with the Department’s regulatory environment and procedures.

The NRA believes that, on the whole, the proposal correctly balances the imperatives of national and global security, allocation of oversight resources, and promotion of American industry, innovation, and competitiveness. We do, however, think it could be improved in several particulars. We also believe that the timing for the implementation of the rule deserves careful consideration.

Specifically, our concerns involve the following:

- **The retention of firearm sound suppressors on the USML is contrary to the guiding principles of Export Reform and does not serve its purposes.** Suppressors should also be moved to the CCL, unless they are specifically designed for use only with firearms that remain on the USML.

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<sup>1</sup> *District of Columbia v. Heller*, 554 U.S. 570, 592, 624-25 (2008). *See also McDonald v. Chicago*, 561 U.S. 742 (2010) (Second Amendment right to keep and bear arms is fully incorporated against state and local action by virtue of the Fourteenth Amendment).

<sup>2</sup> The Small Arms Survey estimates that as of the end of 2017, there were 121 firearms for every 100 residents in the U.S., for a total of some 393.2 million guns. The program director for the Small Arms Survey Institute notes, however, that “there is no direct correlation at the global level between firearm ownership and violence.” *See* Edith M. Lederer, “Global survey shows more than 1 billion small arms in world, mostly owned by civilians and mostly in the U.S.,” *ChicagoTribune.com*, June 18, 2018, <http://www.chicagotribune.com/news/nationworld/ct-survey-small-arms-world-civilians-20180618-story.html>.

- **The designation of “high capacity magazines” that would remain on the USML is based on an arbitrary number, rather than any qualitative difference in the technology or military character of the item.** The governing consideration should be whether they are specifically designed for use only with firearms that remain on the USML, not their capacity.
- **Where manufacturers and exporters need to implement new compliance procedures for items moving from the USML to the CCL, the final rule should have a delayed implementation date; where requirements that once pertained under the International Traffic in Arms Regulations (ITAR) have no analogues under the Export Administration Regulations (EAR), the changes should take effect immediately.**

For these reasons, and as detailed below, the NRA supports the proposal but advocates for minor revisions before its publication as a final rule.

**I. Firearm Sound Suppressors, As Such, Do Not Meet the Prerequisites for Control on the USML Articulated by the Proposal and Therefore Should be Controlled Under the CCL.**

As noted in its supplementary information, the proposal is part of a longstanding effort to “revise the U.S. Munitions List so that its scope is limited to those defense articles that provide the United States with a critical military or intelligence advantage or, in the case of weapons, are inherently for military end use.” Whether or not sound suppressors for firearms are characterized as “weapons,” there is no plausible argument that the devices meet these standards.

A firearm sound suppressor is basically a metal cylinder surrounding internal baffles that slow and cool escaping gas to decrease the volume of the firearm’s muzzle report. The devices reduce, but do not eliminate, the sound of gunshots.<sup>3</sup> Suppressors have been commercially available since the first decade of the 1900s.<sup>4</sup> The technology necessary to produce them is simple and well-understood throughout the developed world. Detailed design, development, production, and manufacturing information for firearm sound suppressors is pervasively available in the public domain, including on the Internet.<sup>5</sup> Similar devices are used to moderate the sound of various other consumer products powered by internal combustion, including automobiles, chainsaws, and lawnmowers.

<sup>3</sup> Glenn Kessler, “Are firearms with a silencer ‘quiet’?” WashingtonPost.com, March 20, 2017, [https://www.washingtonpost.com/news/fact-checker/wp/2017/03/20/are-firearms-with-a-silencer-quiet/?noredirect=on&utm\\_term=.301e14951dd4](https://www.washingtonpost.com/news/fact-checker/wp/2017/03/20/are-firearms-with-a-silencer-quiet/?noredirect=on&utm_term=.301e14951dd4).

<sup>4</sup> Stephen Halbrook, “Firearm Sound Moderators: Issues of Criminalization and the Second Amendment,” 46 Cumb. L. Rev. 33, 42 (2015).

<sup>5</sup> A quick web browser search will reveal numerous webpages and videos offering detailed instructions on constructing suppressors of various levels of sophistication, from products produced with lathes and other machine tools to improvised models made from such materials as PVC, flashlight tubes, oil filters, and solvent traps. There’s even a detailed suppressor schematic on the ATF’s own website: <https://www.atf.gov/file/silencer-cut-away>.

Suppressors do not provide the United States with any critical military or intelligence advantage. They are not unique to the United States and are in fact the rare type of firearm-related product that historically has been regulated more closely in this country than in a number of other countries with otherwise relatively strict gun control laws. In some foreign countries, there are no special requirements to acquire or possess firearm suppressors; in certain others, they are presumptively available to those with a firearm license.<sup>6</sup> Firearm suppressors are already in use by military forces, law enforcement agencies, and civilian firearm owners across the world. Simply put, any country sophisticated enough to produce firearms is sophisticated enough to produce firearm sound suppressors.

Firearm sound suppressors, by themselves, are harmless and cannot accurately be classified as “weapons.” They are only useful when actually attached to a firearm. Even then, they do not make the firearm any more lethal. Their primary advantage is to protect the hearing of the firearm’s user and to decrease the sound signature of firearms so their use is less noticeable and has fewer collateral effects on those in vicinity of the firearm’s discharge.

And even assuming, for the sake of argument, suppressors could be characterized as “weapons,” they are not “inherently military.” Suppressors are regulated and taxed under U.S. law,<sup>7</sup> but they are readily available to those who are legally eligible to own firearms. They are lawful for private possession in 42 states and may be lawfully used for hunting in 40 states.<sup>8</sup> Suppressors adorn the firearms of plinkers, hunters, competitors, and law enforcement officers. According to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), there were 1,297,670 suppressors registered under the National Firearms Act as of February 3, 2017, with nearly 400,000 such registrations occurring in the 12 months preceding that date alone.<sup>9</sup> As previously mentioned, suppressors are also commonly used by law enforcement agencies and private firearm owners in other countries as well.

In its current form, the proposal does not differentiate between suppressors for use on firearms that would be regulated under the USML and those that would not. This could mean that firearms that would otherwise be regulated under the CCL will remain on the USML because they have integrated suppressors. It could also mean that firearm instructors would have to refrain from allowing suppressors to be used in their classes for fear of providing unauthorized “defense services.” This is contrary to the spirit and intent of Export Reform and does nothing to further U.S. or international security interests.

Given that there is no special military or national security significance to firearm sound suppressors, there is no convincing argument for retaining them on the USML. Like flash suppressors, they should be generally subject to the CCL. If they are going to be retained on the USML at all, it should only be to the extent that they are “specially designed” for the firearms

<sup>6</sup> 46 Cumb. L. Rev. at 72-4.

<sup>7</sup> See National Firearms Act, 26 U.S.C. §§ 5801-5872; Gun Control Act, 18 U.S.C. §§ 921-931.

<sup>8</sup> American Suppressor Association, Education Webpage, <https://americansuppressorassociation.com/education/> (last visited July 6, 2018).

<sup>9</sup> Stephen Gutowski, “ATF: 1.3 Million Silencers in U.S. Rarely Used I Crimes,” FreeBeacon.com, Feb. 17, 2017, <http://freebeacon.com/issues/atf-despite-nearly-1-3-million-silencers-united-states-rarely-used-crimes/>.

that would also continue to be so controlled. Because that distinction would be difficult to administer as a practical matter, however, the best option is simply to control the general category of firearm sound suppressors under the CCL.

## **II. The Proposal's Treatment of Magazines is Arbitrary and Capricious.**

The proposal treats magazines as “high capacity” and therefore subject to the USML if they have a capacity of greater than 50 rounds, “regardless of jurisdiction of the firearm.” It offers no explanation for this threshold. Whatever the thinking behind it may be, a 51-round magazine provides no greater critical military or intelligence advantage than a magazine of lesser capacity, nor is it any more inherently for military end use.

Magazines, whatever their capacity, are among the most simple and utilitarian of firearm-related items. In typical form, they consist of a metal box or tube with a floor plate that contains a spring with a follower at the top. A firearm that can accept a detachable magazine can accept a magazine of virtually any size. All that is necessary to create a magazine of greater capacity is a longer box and spring. Drum magazines typically utilize a cylindrical chamber and a wound spring or ratcheting mechanism to allow for greater capacity in a more compact unit, but neither configuration uses sophisticated or closely-held technology. Like firearm sound suppressors, technical data for magazines with capacities above and below 51 rounds is available in the public domain, including online, and has been since at least the early 20<sup>th</sup> Century.<sup>10</sup>

United States law does not limit the capacity of magazines for any sort of firearm available to private citizens (a handful of states, however, do impose magazine capacity limits, typically of 10 rounds). Magazines with capacities in excess of 50 rounds are readily available on the commercial market. They are used by practical shooting competitors, as well as by many gun owners who appreciate the versatility and convenience they provide. Even BB guns for the youth market that use springs or compressed air often have reservoirs that hold hundreds of rounds. While these non-powder guns obviously are not and would not be defense articles under the proposal, their capacity demonstrates the fact that marksmen of all types appreciate the ability to operate their guns without frequent reloading.

Demonstrating the arbitrary nature of controlling magazines based on their capacity is the fact that they can easily be clipped, taped, or otherwise attached to one another, with reloads accomplished in mere moments.

As with sound suppressors, it makes no sense that a given curriculum of firearm instruction that would otherwise be uncontrolled under the proposal could potentially be re-characterized as a “defense service” if it happened to involve a “large capacity” magazine.

<sup>10</sup> See, e.g., European Patent Office Patent No. 8172, “A New or Improved Cartridge Magazine for Small Arms and Machine Guns,” Accepted March 6, 1919 (providing detailed specifications for a drum-type magazine), available at <https://worldwide.espacenet.com/publicationDetails/originalDocument?CC=GB&NR=191508172A&KC=A&FT=D&ND=3&date=19190306&DB=EPODOC&locale=> (last visited July 6, 2018).



For these reasons, we recommend that firearm magazines be controlled under the CCL. If they are controlled under the USML at all, it should only be to the extent they “specially designed” solely for firearms that remain on the USML.

**III. The Final Rule Should Take Effect Immediately to the Extent Requirements Are Eliminated and Phase in Other Changes to Allow Regulated Entities Time to Adapt.**

When the final rule governing Categories I, II, and III of the USML is published, certain changes should take effect immediately, while others should be phased in to allow regulated entities time to adapt.

Changes that merely eliminate requirements altogether should take effect immediately. For example, there is no justification for continuing to make “manufacturers” of articles that would be moved off the USML register with the Department of State.

On the other hand, where control of an item changes from the USML to the CCL, necessitating new procedures by the regulated entity, implementation of the final rule’s effective date should be delayed to allow for new compliance systems to be established.

Licenses granted under the ITAR should also be grandfathered for all outstanding transactions.

The NRA does not have any specific recommendations for a timeline of implementation for enforcing new requirements and procedures. We will defer to the entities whose day-to-day operations will be directly affected by the changes in the final rule.

**Conclusion**

The NRA is very pleased to see Export Reform finally turn its attention to Categories I, II, and III of the USML. The proposal charts a positive course that will contribute to national security, enhance the competitiveness of U.S. businesses, and benefit ordinary gun owners by mitigating the potential for the ITAR to burden innocent conduct that does not implicate national security. We hope you will take the suggestions offered herein seriously to further promote the worthy goals of this effort, and we appreciate the opportunity to provide input.

We have also included our submission on the Bureau of Industry and Security’s companion rulemaking and incorporate those comments herein by this reference.

Sincerely,



Christopher Zealand  
Senior Research Attorney  
NRA-ILA

NATIONAL RIFLE ASSOCIATION OF AMERICA  
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11250 WAPLES MILL ROAD  
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July 6, 2018

Regulatory Policy Division  
Bureau of Industry and Security  
United States Department of Commerce  
14<sup>th</sup> Street and Pennsylvania Avenue, Northwest  
Washington, District of Columbia 20230

Via Online Submission: <https://www.regulations.gov/document?D=BIS-2017-0004-0001>

**Re: Docket No. BIS-2017-0004; RIN 0694-AF47; Control of Firearms, Guns,  
Ammunition and Related Articles the President Determines No Longer Warrant  
Control Under the United States Munitions List (USML)**

Greetings:

I am writing on behalf of the National Rifle Association (NRA) to provide the association's comments on the above proposed rule (the proposal). With some six million dues-paying members, the NRA is America's premier defender of the civil right protected by the Second Amendment. Our members include individuals and businesses that would be directly affected by the changes in the proposal, including gunsmiths, firearm instructors, journalists and writers covering firearm technology and development, hunters, competitive shooters, and manufacturers.

The NRA is very pleased to see that the project of Export Reform has finally circled back to the place where it began, with proposed amendments to Categories I, II, and III of the U.S. Munitions List (USML). These were among the first of the changes planned for the large-scale undertaking to update export controls on dual-use items, and rightly so. The Second Amendment protects an individual right to possess and carry firearms in case of confrontation, extending to

arms in common use among the population for lawful purposes.<sup>1</sup> America boasts hundreds of millions of privately-owned firearms<sup>2</sup> and a robust “gun culture” that has produced countless books, magazine articles, videos, websites, online forums, etc., that exhaustively detail firearm technology and use. It is difficult to imagine any information about the design, development, production, manufacturing, and use of firearms that is not already within the public domain. This same information is commonly available overseas, as are the types of firearms and ammunition the proposal would regulate under the Commerce Control List (CCL). Meanwhile, the might and sophistication of the U.S. military – as well as America’s armed populace – ensure that no foreign enemy wielding the types of arms at issue in these proposed regulations could pose a serious threat to this nation’s security.

Of course, movement of commonly-available firearms and ammunition to the CCL would not leave their export unregulated. America already has one of the most well-established and closely-administered systems of regulation for commercial production and distribution of firearms and ammunition in the world, and the proposal would not change that. It is clear from the proposal that items moving off the USML would remain closely controlled, with the necessity of export licenses remaining the norm. Foreign individuals’ access to firearms and ammunition would also remain regulated under the federal Gun Control Act and the National Firearms Act. Furthermore, the Commerce Department has long regulated exports of various shotguns, as well as their parts, components, accessories, and ammunition. Thus, it has existing knowledge of and relationships with many of the entities the proposal will affect. Those entities, in turn, will also have some familiarity with the Department’s regulatory environment and procedures.

The NRA believes that, on the whole, the proposal correctly balances the imperatives of national and global security, allocation of oversight resources, and promotion of American industry, innovation, and competitiveness. We do, however, think that it could be improved in several particulars. We also believe that the timing for the implementation of the rule deserves careful consideration.

Specifically, our concerns involve the following:

- **§ 740.9 Temporary imports, exports, reexports, and transfers (in-country) (TMP) and § 758. 10 Entry clearance requirements for temporary imports – The use of the Automated Export System (AES) is impractical and inappropriate for private travelers exporting a personal firearm they temporarily imported into the U.S. for**

<sup>1</sup> *District of Columbia v. Heller*, 554 U.S. 570, 592, 624-25 (2008). See also *McDonald v. Chicago*, 561 U.S. 742 (2010) (Second Amendment right to keep and bear arms is fully incorporated against state and local action by virtue of the Fourteenth Amendment).

<sup>2</sup> The Small Arms Survey estimates that as of the end of 2017, there were 121 firearms for every 100 residents in the U.S., for a total of some 393.2 million guns. The program director for the Small Arms Survey Institute notes, however, that “there is no direct correlation at the global level between firearm ownership and violence.” See Edith M. Lederer, “Global survey shows more than 1 billion small arms in world, mostly owned by civilians and mostly in the U.S.,” *ChicagoTribune.com*, June 18, 2018, <http://www.chicagotribune.com/news/nationworld/ct-survey-small-arms-world-civilians-20180618-story.html>.

**lawful purposes.** The current system, which relies upon the ATF Form 6NIA, should be maintained without modification for such persons.

- **§ 740.14 Baggage (BAG) and § 758.1 The Electronic Export Enforcement (EEI) filing to the Automated Export System (AES) – The use of the AES is impractical and inappropriate for private travelers temporarily exporting a personal firearm for lawful purposes.** The current system, which relies upon the CBP Form 4457, should be maintained without modification for such persons until such time as U.S. Customs and Border Protection engages in a public rulemaking process to resolve the current problems.
- **§ 758.1 The Electronic Export Enforcement (EEI) filing to the Automated Export System (AES) and § 762.2 Records to be retained – Expanding the data elements necessary for AES filings would exacerbate the problems for private travelers temporarily exporting a personal firearm and violate the spirit of Congressional prohibitions against federal firearm registries.** Private travelers temporarily exporting personal firearms should continue to be able to use the CPB Form 4457 without the firearm's information being captured by a federal database.
- **Where manufacturers and exporters need to implement news compliance procedures for items moving from the USML to the CCL, the final rule should have a delayed implementation date; where requirements that once pertained under the International Traffic in Arms Regulations (ITAR) have no analogues under the Export Administration Regulations (EAR), the changes should take effect immediately.**

For these reasons, and as detailed below, the NRA supports the proposal but advocates for revisions before its publication as a final rule.

#### **I. The AES System is Impractical and Inappropriate for Use by Private Travelers.**

- A. The AES requirement was introduced without sufficient or accurate notice to the public.

The International Traffic in Arms Regulations historically had included an exemption under 22 CFR §123.17(c) that allowed U.S. persons to temporarily export without a license up to three nonautomatic firearms and not more than 1,000 cartridges therefor. This exemption was geared toward hunters, sportsmen, competitors, and others who travel overseas with firearms to be used for sporting and other lawful purposes.

In 2011, DDTC published a Federal Register notice of proposed rulemaking entitled International Traffic in Arms Regulations: Exemption for Temporary Export of Chemical Agent Protective Gear.<sup>3</sup> The supplementary information to that rulemaking focused on amendments to 22 CFR §123.17 pertaining to “the temporary export of chemical agent protective gear for

<sup>3</sup> 76 Fed. Reg. 16353 (March 23, 2011).



exclusive personal use ...” It also mentioned that “an exemption for firearms and ammunition is clarified by removing certain extraneous language that does not change the meaning of the exemption.”<sup>4</sup>

In fact, the proposed change to the firearms and ammunition exemption was a material and substantial change to the status quo. It would require for the first time that “the individual must ... present the Internal Transaction Number (ITN) from submission of the Electronic Export Information in the Automated Export System per § 123.22(b)” to use the exemption.<sup>5</sup>

But because the notice only printed the amendments to 22 CFR §123.17 and omitted the existing text of that section, it was not clear from the face of that notice what the context of this new requirement was. The notice’s inaccurate portrayal of the change as a mere “clarification” further contributed to obscuring the significance of this new language. Thus, the new requirement for temporary firearms and ammunition exports went largely unnoticed by relevant stakeholders.

The final rule was published on May 2, 2012.<sup>6</sup> Its supplementary information included a similarly inaccurate description of the firearm exemption amendment. “Section (c)(3) is revised to remove what is in practice extraneous language,” it stated.<sup>7</sup> “Subject to the requirements of (c)(1)–(3), the exemption applies to all eligible individuals (with the noted exceptions). Thus, while the text is revised, the meaning of (c)(3) is not changed.”<sup>8</sup>

Unlike the notice for the proposed rule, however, the notice of the final rule included the full text of subsection (c), which made clear the AES filing requirement pertained to those claiming the licensing exemption for temporary firearm and ammunition exports. Of course, it was by then too late for stakeholders to object to these changes, as the rule had been finalized.

For three years, the changes to 22 CFR §123.17 as they pertained to temporary firearm and ammunition exports appeared to be ignored and unenforced by the federal government. Then, in 2015, U.S. Immigration and Customs Enforcement (ICE) and U.S. Customs and Border Protection (CBP) suddenly changed their websites to indicate the AES filing requirements would be enforced against travelers temporarily exporting firearms and ammunition, with penalties that could include seizure of improperly declared items and criminal prosecution.<sup>9</sup>

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<sup>4</sup> *Id.*

<sup>5</sup> *Id.* at 16354.

<sup>6</sup> Amendment to the International Traffic in Arms Regulations: Exemption for Temporary Export of Chemical Agent Protective Gear, 77 Fed. Reg. 25865-01 (May 2, 2012).

<sup>7</sup> *Id.*

<sup>8</sup> *Id.*

<sup>9</sup> See NRA-ILA, “Rule Change May Devastate International Travel for Hunters and Shooters,” <https://www.nraila.org/articles/20150320/rule-change-may-devastate-international-travel-for-hunters-and-shooters> (March 20, 2015).

B. The AES was not designed for use by private persons for non-business purposes.

The AES was designed around the needs of commercial exporters and government officials, not private travelers. As CBP's "Introduction" to the AES states:

*During AES development, a Trade Resource Group convened regularly. To ensure that all voices were heard, the group was comprised of large and small exporters, carriers, freight forwarders, port authorities, and non-vessel operating common carriers (NVOCC). At the trade's request, separate coalitions for exporters and software vendors were formed.*<sup>[10]</sup>

It continues, "Whatever aspect of the export community you represent - exporter, carrier, freight forwarder, port authority, service center, non-vessel operating common carrier, consolidator - AES has advantages for you."<sup>11</sup> Nowhere does this summary recognize that private individuals would also have to navigate a system designed by and for industry compliance specialists.

Individuals attempting to use the AES will need to have compatible hardware and software systems or to enlist the services of an authorized agent. Those who do not wish to purchase or write their own software, or hire someone to complete the filing process for them, have the option of using AESDirect, an online version administered by the U.S. Census Bureau.

That agency, in turn, has a webpage with various resources to acquaint users with the intricacies of the system.<sup>12</sup> Browsers can start, for example, with the 39-page *AESDirect User Guide*<sup>13</sup> or with any of the one-hour-plus webinars that cover various aspects of the system.

Navigating the filing process requires individuals to create an account and then fill in data fields with various codes that are neither intuitive nor easily reconcilable with the context of an individual traveling with his or her own private property. For example, the system requires the parties to an export to be identified, with required fields that include the U.S. Principal Party in Interest, which must be identified by "Company Name" and an acceptable ID type. Likewise, the Ultimate Consignee also must be specified, again with reference to "Company Name" and an authorized form of identification.

Nowhere does the User Guide or the screens of the system itself explain how these categories are supposed to translate for private individuals declaring temporary exports of their

<sup>10</sup> U.S. Customs and Border Protection, "AES: An Introduction," <https://www.cbp.gov/trade/aes/introduction> (last visited July 6, 2018).

<sup>11</sup> *Id.*

<sup>12</sup> U.S. Census Bureau, "ACE AESDirect – Resources," [https://www.census.gov/foreign-trade/aes/aesdirect/transitiontoace.html?cml=gd&utm\\_medium=email&utm\\_source=govdelivery](https://www.census.gov/foreign-trade/aes/aesdirect/transitiontoace.html?cml=gd&utm_medium=email&utm_source=govdelivery) (last visited July 6, 2018).

<sup>13</sup> Available at <https://www.census.gov/foreign-trade/aes/aesdirect/AESDirect-User-Guide.pdf> (last visited July 6, 2018).

own property. Such persons are not just an afterthought in the system's design. Rather, it appears that the design has not thought of them at all.

The acceptable forms of identification, for example, are an Employer Identification Number (EIN), a Dun and Bradstreet Number, or a foreign passport number (if the foreign entity is in the U.S. at the time the goods are purchased or obtained for export). U.S. individuals making temporary exports cannot use their own passport numbers, nor can they use their Social Security numbers.<sup>14</sup>

Using AESDirect, moreover, requires an individual to apply for an account with the Secure Data Portal of the Automated Commercial Environment. The application for an ACE Exporter Account<sup>15</sup> requires users to list "Corporate Information," including an EIN and Company Name.

The Internal Revenue Service (IRS) is responsible for issuing EINs. The IRS website that explains the process for applying online clearly states: "Employer Identification Numbers are issued for the purpose of tax administration and are not intended for participation in any other activities."<sup>16</sup> The online application requires the applicant to identify the "legal structure" associated with the EIN. None of the available options corresponds with a private individual who simply wishes to make an AES filing. The applicant then must specify why he or she is requesting an EIN, with the limited menu choices again offering no option for the private AES filer. Finally, the applicant must certify under penalties of perjury that he or she has "examined this application, and to the best of my knowledge and belief, it is true, correct, and complete."<sup>17</sup>

Private individuals using the online application form, in other words, must make a false certification to the IRS about their business need for an EIN as a prerequisite to complying with the legally-mandated AES filing requirement. These individuals are also potentially creating an expectation with the IRS that they are creating a business that should have associated tax filings.

C. The relevant agencies have been aware of the problems private individuals have using the AES, and there has been no apparent progress in resolving them.

In 2015, representatives of the NRA – as well as representatives of hunting and firearm industry associations – met with officials from CBP, the Census Bureau, the Department of

<sup>14</sup> See U.S. Customs and Border Protection, "Change in Automated Export System (AES) exporter ID filing requirement," [https://help.cbp.gov/app/answers/detail/a\\_id/1145/kw/EIN%20number%20needed%20for%20export](https://help.cbp.gov/app/answers/detail/a_id/1145/kw/EIN%20number%20needed%20for%20export) (last visited July 6, 2018).

<sup>15</sup> Available at [https://ace.cbp.dhs.gov/acexpub/acexpub\\_Apps/ExporterAccountApplication/expForm.php](https://ace.cbp.dhs.gov/acexpub/acexpub_Apps/ExporterAccountApplication/expForm.php) (last visited July 6, 2018).

<sup>16</sup> IRS, "Apply for an Employer Identification Number (EIN) Online," <https://www.irs.gov/businesses/small-businesses-self-employed/apply-for-an-employer-identification-number-ein-online> (last visited July 6, 2018).

<sup>17</sup> See IRS Form SS-4, available at <https://www.irs.gov/pub/irs-pdf/ss4.pdf> (last visited July 6, 2018). Note the PDF of the SS-4 has options for "Other (specify)" not available on the IRS's online application form. It does not, however, indicate that EINs may be obtained solely for AES filing purposes.

Homeland Security (DHS), and ICE to discuss the above problems.<sup>18</sup> These discussions emphasized the need for a simple, straightforward, and legal means for private travelers to comply with their AES filing requirements. The discussions also touched on concerns about creating a federal firearm registry via AES filings (a topic that is explored below in greater depth).

Shortly after that meeting, and after additional intervention from members of Congress, CBP announced that it would return to the status quo practice of using the paper CBP Form 4457 to track firearms for temporary export.<sup>19</sup> In this procedure, travelers report to a CBP office during their trip or beforehand at a Port of Entry and present the firearms (and ammunition, if applicable) to be recorded on the 4457. Upon return to the U.S., the traveler will declare the property, which can be checked, if necessary, against the 4457 to ensure the same firearms that left the country have returned. The ATF has also indicated that this procedure will satisfy the re-importation of firearms under its importation jurisdiction.<sup>20</sup>

We understand that this remains the procedure for temporary firearm exports by private travelers to the present day and that the AES filing requirement is not being enforced against these individuals.

Between 2015 and the present, NRA representatives have had repeated contacts with officials from CBP and the Census Bureau to inquire about any changes or updates to the above-described state of affairs. To date, we have neither seen nor heard of any evidence that the AES system has been in any way modified to alleviate the problems it presents for private travelers. Our review of the applicable websites during the preparation of these comments confirms this impression. The AES remains a complex application geared toward the needs of industry and government, not private persons traveling with their own property for non-business purposes.

D. BIS should omit the AES filing requirement for private persons temporarily exporting their own firearms and ammunition for lawful purposes and codify the Form 4457 procedure.

The NRA is pleased to see that BIS' current proposal is handling the AES issue in a much more transparent and forthright manner than the 2012 DDTC rulemaking that introduced it in the first place. The background information included with the proposal acknowledges:

*BIS is aware that U.S. Customs and Border Protection (CBP) has temporarily suspended the requirement to file EEI to the AES for personally-owned firearms and ammunition that are "subject to the ITAR" being exported under 22 CFR 123.17(c), due to*

<sup>18</sup> See NRA-ILA, "You Can't Get There from Here: Obama Administration Shrugs Off Woes of International Travelers," <https://www.nraila.org/articles/20150417/you-cant-get-there-from-here-obama-administration-shrugs-off-woes-of-international-travelers> (April 17, 2015).

<sup>19</sup> See, e.g., P.J. Reilly, "U.S. Government withdraws confusing new gun rules for traveling hunters," LancasterOnline, April 27, 2015, [https://lancasteronline.com/news/local/u-s-government-withdraws-confusing-new-gun-rules-for-traveling/article\\_e2991fcc-ecec-11e4-8e21-3b622f277d23.html](https://lancasteronline.com/news/local/u-s-government-withdraws-confusing-new-gun-rules-for-traveling/article_e2991fcc-ecec-11e4-8e21-3b622f277d23.html).

<sup>20</sup> See 27 C.F.R. § 478.115(a).



*operational challenges related to implementation. ... Whether and how BIS includes this requirement in a final rule would be based on whether CBP is able to update its processes, and other agencies as needed, to allow for individuals to easily file EEI in AES by the time a final rule is published. If CBP is not able to do so, then the final rule may direct exporters to continue to use CBP's existing process, which is the use of the CBP Certification of Registration Form 4457, until a workable solution is developed or CBP suggests an alternative simplified solution for gathering such information for temporary exports of personally-owned firearms and ammunition.*

As explained above, the CBP and the other relevant agencies have not updated their processes to allow for individuals to easily file Electronic Export Information in the AES. Given that they are aware of the issues, have had more than three years to fix them, and have made no discernable progress in that direction, there is no reason to believe they will do so by the time the proposal is published as a final rule.

The NRA is unaware of any compelling security need to change the status quo. The very fact that the systems have not been updated to address the outstanding issues would seem to indicate CBP and DHS agree. Simply put, there has been no urgency to facilitate AES filings by private travelers. The Form 4457 procedure has proven to be a workable system both before and since the 2012 rule change, and it can continue to suffice for the near term.

The paper Form 4457 also serves an important function for some U.S. travelers to foreign countries that require a valid "firearm license" from visitors' home countries. Neither the U.S. government nor most U.S. states generally license the acquisition or simple possession of firearms, especially long guns. But foreign officials in these countries have historically accepted the Form 4457 as fulfilling this requirement.

It is also relevant that BIS has throughout the relevant time period always allowed for the temporary export of shotguns and shotgun shells under its jurisdiction via the baggage exemption of 15 C.F.R. § 740.14 without requiring a declaration to be filed in the AES. Indeed, that exemption currently does not specifically require the use of the Form 4457 procedure, either. Codifying the Form 4457 procedure would therefore help promote consistency and understanding across the different agencies involved in enforcing the nation's export rules and with the traveling public. The president's determination that certain additional firearms and ammunition no longer warrant control under the USML more strongly argues in favor of BIS adopting its own procedures for their temporary export than for importing procedures from the ITAR into the EAR.

CBP can also issue its own rulemaking on procedures for temporary exports by private travelers, should the state of play change with respect to the practical and technological issues of the AES. The issue could then be fully vetted in its own right. There is no reason, however, to inject this thorny issue into the larger project of Export Reform. It is not necessary nor helpful to the objectives of Export Reform, and it would perpetuate a problem one solution to which has already been identified (i.e., the paper Form 4457 procedure).

- E. Private travelers exporting a personal firearm they temporarily imported into the U.S. for lawful purposes should not be required to use AES for this purpose.

The same problems that arise from requiring U.S. persons to file declarations through the AES to take advantage of the BAG exemption apply to requiring foreign visitors traveling to the U.S. with their own firearms to use the AES to avail themselves of the TMP exception. This is not necessary under the current version of 15 C.F.R. § 740.9, and it should not be added to that section or to § 758.1.

Currently, foreign visitors traveling to the U.S. with their own firearms must apply for an import permit from the Bureau of Alcohol, Tobacco, Firearms & Explosives using ATF Form 6NIA. The individual will also have to substantiate his or her eligibility to possess a firearm in the United States as a non-U.S. person (for example, by obtaining a hunting license from a U.S. state). The travelers must then declare their firearms at the border, provide CBP officials with any required documents, and maintain the required documents during the duration of their stay. Customs officials in the country of re-importation can use the ATF Form 6NIA to confirm that the individual is returning with the same firearms that were brought to the U.S.

We are unaware of any attempt on DDTC's part to enforce a requirement that foreign visitors (including from Canada) declare the "export" of firearms they temporarily brought to the U.S. for lawful purposes through the AES when the visitor returns home. Indeed, it is difficult to understand how doing so would contribute to national security. Thanks the Second Amendment and America's unique commitment to individual liberty, the U.S. has by far the largest civilian stock of firearms in the world.<sup>21</sup> Given the ready availability of firearms in the U.S. as compared to the rest of the world, there is little chance that America's interests are seriously threatened by foreign visitors bringing their own lawfully obtained guns into the country. At the very least, they are not threatened enough to impose a bureaucratic requirement for private foreign travelers that has already proven unworkable for their U.S. counterparts.

For these reasons, we urge BIS to omit from §§ 740.2 and 758. 10 the AES declaration requirement as applied to private foreign travelers temporarily bringing personal firearms into the U.S. Foreign hunters and competitive shooters help contribute to the U.S. economy, and these proposed changes would discourage them from doing so. Meanwhile, reports of foreign travelers committing crimes in the U.S. with firearms they lawfully brought with them are vanishingly rare.

## **II. The expanded data elements necessary for AES filings exacerbate the problems for private travelers forced to use the system and violate the spirit of Congressional prohibitions against federal firearm registries.**

The proposal would "expand the data elements required as part of an AES filing for [firearms transferred from the USML] to include serial numbers, make, model and caliber," including for those wishing to use the BAG and TMP exemptions. This makes the previously mentioned problems with AES filing that much worse. It also runs counter to the spirit of clearly

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<sup>21</sup> Lederer, *supra* note 2.

established Congressional policy against using bureaucratic record-keeping requirements to establish firearms registries.

Firearm registries have long been anathema to gun owners as a tool that can be used to target them for discrimination and for the eventual seizure of their firearms. History is rife with examples of tyrants who used civilian disarmament to further their despotic ends,<sup>22</sup> and America's own Revolutionary War began in earnest after a British raid on Colonial arms caches. Against this backdrop, federal gun control laws have consistently maintained a policy against national registries of the sorts of common arms with which Americans typically exercise their Second Amendment rights.<sup>23</sup>

Congress, in enacting the Gun Control Act of 1968 (GCA), specifically declined to create a federal firearm registry, despite the urging of President Lyndon B. Johnson to do so.<sup>24</sup> Both the House and the Senate voted down proposals to require registration of guns as the legislation made its way through Congress.<sup>25</sup> As Sen. James McClure later stated,

*The central compromise of the Gun Control Act of 1968—the sine qua non for the entry of the Federal Government into any form of firearms regulation was this: Records concerning gun ownership would be maintained by dealers, not by the Federal Government and not by State and local governments.*<sup>[26]</sup>

Congress then amended the GCA in 1986 to prohibit any rule or regulation enacted under its auspices from using the records that federal firearm licensees must keep to establish “any system of registration of firearms, firearms owners, or firearms transactions or dispositions ....”<sup>27</sup>

When the Brady Handgun Violence Protection Act of 1993<sup>28</sup> created the authority for the National Instant Criminal Background Check System (NICS), Congress took pains to ensure the system would not circumvent the GCA's policy against firearm registration. The Act states that if the NICS determines receipt of a firearm would not be in violation of law, it shall “destroy all records of the system with respect to the call (other than the identifying number and the date the

<sup>22</sup> See, e.g., STEPHEN HALBROOK, GUN CONTROL IN THE THIRD REICH, DISARMING THE JEWS AND “ENEMIES OF THE STATE” (Independent Inst. 2013).

<sup>23</sup> The National Firearms Act, 26 U.S.C. §§ 5801-5872, requires federal registration of limited categories of arms, but to the extent it covers firearms, those guns— which include machineguns, short-barreled shotguns, short-barreled rifles, and non-sporting firearms greater than .50 caliber – are comparatively rare among the U.S. civilian firearm stock.

<sup>24</sup> See Lyndon B. Johnson, “Remarks Upon Signing the Gun Control Act of 1968,” Oct. 22, 1968, available at <http://www.presidency.ucsb.edu/ws/?pid=29197> (last visited July 6, 2018).

<sup>25</sup> 114 Cong. Rec. H22267 (daily ed. July 19, 1968); 114 Cong. Rec. S27420-421 (daily ed. Sept. 18, 1968).

<sup>26</sup> 131 Cong. Rec. S9163-64 (July 9, 1985).

<sup>27</sup> 18 U.S.C. § 926(a).

<sup>28</sup> Pub. L. No. 103-159, 107 Stat. 1536 (1993).

number was assigned) and all records of the system relating to the person or the transfer.”<sup>29</sup> Section 103(i) of the Act contains additional prohibitions against the use of the system to create a federal firearms registry:

*No department, agency, officer, or employee of the United States may—*

*(1) require that any record or portion thereof generated by the system established under this section may be recorded at or transferred to a facility owned, managed, or controlled by the United States or any State or political subdivision thereof; or*

*(2) use the system established under this section to establish any system for the registration of firearms, firearm owners, or firearm transactions or dispositions except with respect to person, prohibited by section 922 (g) or (n) of title 18, United States Code State law, from receiving a firearm.<sup>[30]</sup>*

Beginning in 1979, the annual appropriations bills that funded the ATF and its predecessor agency prohibited the Department of Justice from centralizing the records of federal firearm licensees (FFLs), until the prohibition was made permanent in 2011.<sup>31</sup> Also made permanent in that 2011 appropriations bill was another rider that prohibited the ATF from compiling a searchable registry of gun buyers’ names from business records transferred to the agency by FFLs who ceased doing business.<sup>32</sup> A third provision in the same bill permanently created a 24-hour deadline for the destruction of identifying information on those who successfully undergo a NICS check.<sup>33</sup>

Even Obamacare contains a number of provisions that prohibit information collected under its authority from being used to create firearm registries.<sup>34</sup>

Meanwhile, there is no express authority in the enabling act under which this rulemaking is promulgated for BIS to collect and retain detailed information on the firearms owned by law-abiding Americans. Yet BIS is proposing to compel Americans to enter identifying information about themselves and their firearms into a federal database as a precondition of engaging in lawful travel with firearms. Individuals forced to comply with this requirement are given no assurances about how the information will be retained or protected or whether it will be available to other entities, and if so, under what circumstances. This clearly runs contrary to the spirit of congressional policy governing the handling of firearm owner information.

<sup>29</sup> 18 U.S.C. 922(i)(2)(C).

<sup>30</sup> 107 Stat. at 1542.

<sup>31</sup> Consolidated and Further Continuing Appropriations Act, 2012, Pub. L. No. 112-55, 125 Stat. 552, 609 (2011).

<sup>32</sup> 125 Stat. 552, 610.

<sup>33</sup> *Id.* at 632.

<sup>34</sup> Patient Protection and Affordable Care Act, Pub. L. No. 111-148, 124 Stat. 119, 884-5 (2010).



The *de facto* federal firearm registry that would be created by forcing private gun owners to make detailed declarations about themselves and their firearms via the AES is another argument in favor of retaining the current procedure utilizing the paper Form 4457. That procedure vindicates the government's legitimate interest in monitoring the firearms that move and in out of the country but does not require the government to maintain a central registry of firearm owner information.

Going forward, any further attempt to automate the information private travelers must provide about their personal firearms should include express privacy provisions. At a minimum, these should prevent the dissemination or transfer of the information to other entities and require its complete destruction once CBP has verified that the firearms which were temporarily exported have been returned to the U.S.

For all these reasons, the NRA objects to the proposal's use of expanded data elements for private travelers seeking to utilize the BAG or TMP exceptions and urges that those requirements be omitted from the final rule.

### **III. The Final Rule Should Take Effect Immediately to the Extent Requirements Are Eliminated and Phase in Other Changes to Allow Regulated Entities Time to Adapt.**

When the final rule governing Categories I, II, and III of the USML is published, certain changes should take effect immediately, while others should be phased in to allow regulated entities time to adapt.

Changes that merely eliminate requirements altogether should take effect immediately. For example, there is no justification for continuing to make "manufacturers" of articles that would be moved off the USML register with the Department of State.

On the other hand, where control of an item changes from the USML to the CCL, necessitating new procedures by the regulated entity, implementation of the final rule's effective date should be delayed to allow for new compliance systems to be established.

Licenses already granted under the ITAR should also be grandfathered for all outstanding transactions.

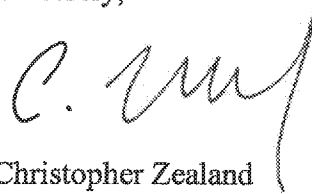
The NRA does not have any specific recommendations for a timeline of implementation for enforcing new requirements and procedures. We will defer to the entities whose day-to-day operations will be directly affected by the changes in the final rule.

### **Conclusion**

The NRA is very pleased to see Export Reform finally turn its attention to Categories I, II, and III of the USML. The proposal charts a positive course that will contribute to national security, enhance the competitiveness of U.S. businesses, and benefit ordinary gun owners by mitigating the potential for export regulations to burden innocent conduct that does not implicate national security. We hope you will take the suggestions offered herein seriously to further promote the worthy goals of this effort, and we appreciate the opportunity to provide input.

We have also included our submission on the Directorate of Defense Trade Control's companion rulemaking and incorporate those comments herein by this reference.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Zealand", with a stylized flourish extending from the end.

Christopher Zealand  
Senior Research Attorney  
NRA-ILA

## PUBLIC SUBMISSION

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Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

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Public comment 110. Esterline. R. Baldwin. 7-9-18

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### General Comment

See attached file(s)

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### Attachments

Esterline\_Comment\_DOC\_RIN\_0694-AF47



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July 9, 2018

Richard E. Ashooh  
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14th and Pennsylvania Avenue NW  
Room 2099B  
Washington, D.C. 20230

ATTN: Request for Comments Regarding Reform of USML Categories I, II, and III,  
Docket No. 111227796-5786-01, RIN 0694-AF47, 83 FR 24166

Dear Mr. Ashoosh:

Esterline Technologies Corporation supports the goals and objectives of the Export Control Reform (ECR) Initiative, and submits the following comments respecting the proposed transfer of items from Categories I, II, and III from the USML to the CCL, with focus on the appropriateness of the corresponding license requirements and licensing policies.

#### **Summary of Comments and Recommendations**

This section outlines our main comments, each of which is explained more fully in the remainder of this letter.

1. Keep the Commerce Control List free of AECA brokering.
2. Coordinate changes to USML Categories I, II, and III with changes to the United States Munitions Import List.
3. Address conflict with companion rule 83 FR 24198.

#### **Comments and Recommendations**

##### **1. Keep CCL free of AECA brokering**

One of the main advantages of ECR is that items on the CCL are not subject to the brokering requirements in section 38(a)(1) of the Arms Export Control Act (AECA) and 22 CFR 129. This advantage has been highlighted by the U.S. Government in public

remarks, such as Under Secretary Hirschorn's address to the BIS Update 2014 Conference.

Absence of brokering controls for CCL items has more significance than the absence of double licensing. Currently, items subject to the CCL do not require registration or licensing under 22 CFR 129, period. Once an item is determined to be on the CCL, it is clear that it is not subject to brokering, so there is no need to review the USMIL or the requirements in 22 CFR 129 before engaging in business. Knowledge that items on the CCL are not subject to brokering simplifies and streamlines transactions. Addition of brokering requirements for any item on the CCL would be an unwelcome development as it would introduce a significant complicating factor.

Esterline recommends BIS and DDTC reform USML Categories I, II, and III without introducing brokering controls to items in the CCL.

## **2. Coordinate changes to USML Categories I, II, and III with USMIL**

The proposed rule would add the need to review the USMIL for activities that are not imports to the United States and involve items on the CCL. Classifying items against multiple control lists for a single transaction increases the cost and complexity of U.S. export controls.

Esterline recommends BIS and DDTC coordinate the change to USML Categories I, II, and III with the Bureau of Alcohol, Tobacco, Firearms, and Explosives so that a corresponding change is made to the USMIL at the same time. This would eliminate the need to consider both the USML and the USMIL when deciding whether a transaction involves brokering.

## **3. Address conflict with companion rule 83 FR 24198**

The proposed rule is in conflict with the companion State Department proposed rule, 83 FR 24198, Public Notice 10094, RIN 1400-AE30. This leaves items transferred from the USML to the CCL potentially without a controlling ECCN.

Esterline recommends BIS coordinate with DDTC to resolve this conflict.

The BIS proposed rule states:

Category III of the USML, entitled "Ammunition/Ordnance," encompasses ammunition for a wide variety of firearms that may have military, law enforcement or civilian applications. Ammunition that has only or primarily military applications would remain on the USML as would parts, production equipment, "software" and "technology" therefor.

The State Department proposed rule states with respect to USML Category III:

Additionally, paragraph (c), which controls production equipment and tooling, will be removed and placed into reserve. The articles currently covered by this paragraph will be subject to the EAR.

In effect, the BIS proposed would receive specific production and test equipment for conventional ammunition into ECCN 0B505, while the State Department proposed rule would move all production and test equipment for ammunition and ordnance to the CCL, conventional or otherwise.

ECCN 0B505 would only control equipment specially designed for the production of ammunition and ordnance that is controlled in USML Category III if it falls within the list "tooling, templates, jigs, mandrels, molds, dies, fixtures, alignment mechanisms, and test equipment." This list is less than the scope of production equipment that will no longer be controlled in USML Category VIII(c) by the proposed companion rule, 83 FR 24198.

Similarly, ECCN 0E505 would not control technology for the technology for equipment specially designed for the production of ordnance, or technology for the software specially designed for such equipment.

A number of the articles proposed for USML Category III by 83 FR 24198 are not conventional ammunition, and their specially designed production equipment exceeds the specific list "tooling, templates, jigs, mandrels, molds, dies, fixtures, alignment mechanisms, and test equipment."

For example, production of combustible ordnance requires specialized production machines that do not fall within the list "tooling, templates, jigs, mandrels, molds, dies, fixtures, alignment mechanisms, and test equipment." Under the proposed rules, these specialized machines would fall outside both the USML and ECCN 0B505.

### **Summary**

Thank you for the opportunity to comment on this proposed rule. Please feel free to contact me if you have any questions about the comments and recommendations provided.

Regards,

A handwritten signature in black ink, appearing to read "Richard R. Baldwin", with a long horizontal flourish extending to the right.

Richard R. Baldwin  
Director, Trade Compliance Technology  
Esterline Technologies Corporation

# PUBLIC SUBMISSION

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Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

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Public Comment 111. Individual. Chelsea Anonymous. 6-28-18

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## Submitter Information

**Name:** Chelsea Anonymous

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## General Comment

I am writing in opposition to moving export license oversight for firearms from the Department of Commerce. The proposed rule treats dangerous semiautomatic assault rifles as non-military devices. These rifles should certainly be treated as military devices. Assault rifles originated in World War II and have become standard weapons for armies throughout the world. To not classify these weapons as military devices is absurd. Additionally, the proposed rule eliminates Congressional oversight for gun export deals. Since these devices are proven to be dangerous, it is common sense that there should be Congressional oversight with gun exportations. In modern times, assault rifles have been the cause of violent and deadly crimes. As a result, there should be more congressional oversight and regulations, not fewer.



# PUBLIC SUBMISSION

<b>As of:</b> 7/17/18 4:02 PM
<b>Received:</b> June 29, 2018
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<b>Posted:</b> July 10, 2018
<b>Tracking No.</b> 1k2-93zi-jwjd
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0191

Public Comment 112. Individual. Sean Schroeder. 6-29-18

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## Submitter Information

**Name:** sean schroeder

**Address:**

PO Box 56

Westfield, WI, 53964

**Email:** seanjon46@yahoo.com

**Phone:** 6084036915

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## General Comment

I AGREE to this Proposed rule.

Thank you President Trump



# PUBLIC SUBMISSION

<b>As of:</b> 7/17/18 4:25 PM
<b>Received:</b> June 29, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 10, 2018
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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0192

Public Comment 113. Individual. Anonymous. 6-29-18

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## Submitter Information

**Name:** Anonymous Anonymous

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## General Comment

To all the Trump administration haters out there, I urge you to please check your history before you comment. The Obama administration initially proposed this reform initiative in 2009 and again in 2013. Both times it was withdrawn because of events unrelated to the proposed change. I support this change.

# PUBLIC SUBMISSION

<b>As of:</b> 7/17/18 4:04 PM
<b>Received:</b> July 01, 2018
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<b>Posted:</b> July 12, 2018
<b>Tracking No.</b> 1k2-9413-wf97
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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0320

Public Comment 114. Individual. D. Hornsby. 7-1-18

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## Submitter Information

**Name:** Dean Hornsby

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## General Comment

Why do you people have the ludicrous perception that any legislation you pass is going to stop anyone from committing crimes?  
Words on a piece of paper, which you refuse to read before voting on them, are as useless as the ink used to write them. As  
quoted from John Dean "Jeff" Cooper "Killing is a matter of will, not weapons. You can't control the act itself by passing laws  
about the means employed."  
Jeff Cooper, 1958

## PUBLIC SUBMISSION

<b>As of:</b> 7/11/18 10:28 AM
<b>Received:</b> July 06, 2018
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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0261

Public comment 115. SAAML. R. Patterson. 7-6-18

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### Submitter Information

**Name:** Richard Patterson

**Organization:** Sporting Arms and Ammunition Manufacturers' Institute

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### General Comment

See attached file(s)

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### Attachments

BIS Letter Docket BIS-2017-0004 6 July 2018



SPORTING ARMS AND AMMUNITION MANUFACTURERS' INSTITUTE, INC.  
SINCE 1926

July 6, 2018

By Internet: Federal eRulemaking Portal: [www.regulations.gov](http://www.regulations.gov) - Docket BIS-2017-0004

By mail or delivery:

Steven Clagett  
Office of Nonproliferation Controls and Treaty Compliance  
Nuclear and Missile Technology Controls Division

Bureau of Industry and Security  
U.S. Department of Commerce  
14th Street and Pennsylvania Avenue, NW, Room 2099B  
Washington, DC 20230

REFERENCE: Comments on Proposed Rule – Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML) -- RIN 0694-AF47

Dear Mr. Clagett:

The Sporting Arms and Ammunition Manufacturers' Institute (SAAMI) respectfully submits the following comments to the above referenced Federal Register Notice 83 FR 24166, dated May 24, 2018. SAAMI is an association of the nation's leading manufacturers of firearms, ammunition and components. SAAMI was founded in 1926 at the request of the federal government and tasked with creating and publishing industry standards for safety, interchangeability, reliability and quality, coordinating technical data and promoting safe and responsible firearms use.

As the organization responsible for creating manufacturing standards for our industry, SAAMI is uniquely qualified to provide technical expertise particularly related to ammunition. We have reviewed the proposed rule, and agree in general with the transition of the majority of firearms and ammunition to the Commerce Control List. Export controls of commercial firearms and ammunition which are not inherently military, have no critical military or intelligence advantage, and have predominant commercial applications correctly belong under the Export Administration Regulations (EAR).

We would like to raise the following points regarding several items enumerated in the proposed rule:

**Alignment of Terms Describing Caliber Between USML and CCL**

In our review of both the DDTC and BIS proposed rules, we note an inconsistency in the way calibers are described in the control lists. In USML Categories I and II, firearms and guns are described “caliber .50 inclusive (12.7 mm)” and “greater than .50 caliber (12.7 mm)”, respectively. In new ECCN 0A501, firearms are described in subparagraphs .a and .b as “of caliber less than or equal to .50 inches (12.7 mm)” and “with a caliber greater than .50 inches (12.7 mm) but less than or equal to .72 inches (18.0 mm)”, respectively. The measurement in inches does not correlate exactly into caliber size, i.e. .50 caliber is not .50”. For example, .50 BMG caliber is actually 0.51” in diameter, not 0.50”. In commerce, .50 BMG ammunition is controlled with smaller calibers such as 300 Win Mag, and is separated from larger diameter calibers such as 600 Nitro Express. This could also impact other calibers such as 500 S&W Magnum or 50AE.

The caliber terms are not aligned between the control lists, and this could cause confusion and misinterpretation of the controls between the USML and CCL particularly in regard to the ammunition controls which follow the respective firearm controls.

The USML threshold of “.50 caliber” controls 50 BMG firearms in current Category I and related ammunition in current Category III. New ECCN 0A501 with the “.50 inches” threshold would put 50 BMG firearms under subparagraph b. However, 0A501.b does not control semi-automatic firearms “with a caliber greater than .50 inches (12.7 mm) but less than or equal to .72 inches (18.0 mm)”. Control of these semi-automatic firearms would be retained on the revised USML Category II. Because of the misaligned terms, controls on semi-automatic firearms currently designated USML Category I(a) would move to control under revised USML Category II. This is inconsistent with the transition of all other firearms currently controlled under USML Category I(a) to new ECCN 0A501.a.

In addition, revised USML Category III includes four subparagraphs which control related ammunition and components for “guns and armaments **controlled in Category II**”: subparagraphs (a)(9) ammunition, (d)(4) projectiles, (d)(7) cartridge cases, powder bags, or combustible cases, and (d)(14) target practice projectiles. Because 50 BMG, 50AE, and 500 S&W Magnum ammunition could be used in either semi-automatic or non-semi-automatic firearms, there is confusion on how these items will be controlled. If these calibers were classified under 0A501.a, then it would be clear that the related ammunition would be controlled under ECCN 0A505.

As currently written in the proposed rule, ECCN 0A505 controls ammunition for all firearms in 0A501. The proposed revised USML Category III includes control of ammunition for all guns and armament controlled in revised Category II. With the proposed description of caliber in inches in ECCN 0A501, ammunition for 50 BMG firearms would be controlled under both 0A505 and USML Category III. This needs clarification to rectify the overlapping controls.

**RECOMMENDATION:** For clarity of controls, there needs to be consistency in the expression of terms between the two control lists for items transitioning from one control list to the other. This can be accomplished in two ways. One would be for BIS to revise the terms in ECCN

0A501.a and .b to read “caliber” instead of “inches”. The other alternative would be for BIS and DDTC to describe caliber as .510 inches instead of .50 inches, and make the corresponding changes in USML Category II, and ECCN 0A505.

### **Deletion of ECCN 0A018.b and Revision of ECCN 0A505**

In reviewing new ECCN 0A505 against other CCL entries, we note an inconsistency. Currently, ECCN 0A018 includes subparagraph .b, which controls the following:

“b. “Specially designed” components and parts for ammunition, except cartridge cases, powder bags, bullets, jackets, cores, shells, projectiles, boosters, fuses and components, primers, and other detonating devices and ammunition belting and linking machines (all of which are “subject to the ITAR.”);

Note: 0A018.b does not apply to “components” “specially designed” for blank or dummy ammunition as follows:

- a. Ammunition crimped without a projectile (blank star);
- b. Dummy ammunition with a pierced powder chamber;
- c. Other blank and dummy ammunition, not incorporating components designed for live ammunition”

The items listed in subparagraph .b have been revised and rewritten into the proposed changes to USML Category III and the new ECCN 0A505. Leaving ECCN 0A018.b unchanged will cause confusion due to the overlap of controlled items as listed in new ECCN 0A505.

In particular, we note that while 0A505.d indicates AT-only and UN controls for blank ammunition, the ECCN does not address controls for dummy ammunition which are the subject of the note to 0A018.b. Dummy ammunition is inert. It does not include powder or primer mix. It consists of only the metal components of the cartridge, with a hole drilled in the cartridge case to mark it as inert.

**RECOMMENDATION:** In keeping with the reorganization of firearm and ammunition ECCNs, we recommend BIS review 0A018.b against 0A505 and delete redundancies such as 0A018.b ““Specially designed” components and parts for ammunition” versus 0A505.x ““Parts” and “components” that are “specially designed” for a commodity subject to control in this ECCN...”.

We also request BIS revise 0A505 to include a Note similar to the Note to 0A018.b making a provision for dummy ammunition. Currently under 0A018.b, dummy ammunition is not controlled (EAR99) and we would request the same treatment under 0A505. If dummy ammunition can no longer be classified as EAR99 due to policy reasons, then at a minimum, we would request the same controls on dummy ammunition as for blank ammunition under 0A505.d, i.e. UN and AT-only controls.

### **Exception LVS Value Allowance**

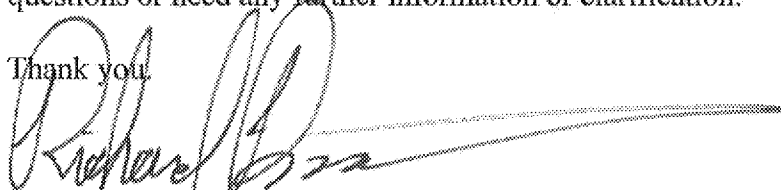


We note that proposed ECCN 0A505 includes an allowance for license exception LVS of \$100 for subparagraph .x "parts" and "components". We also note that firearm parts and components under proposed ECCN 0A501 have an LVS allowance of \$500. Our members feel this is an inconsistency in the treatment of related items. In recent years, costs related to ammunition components have been increasing, with the largest increases affecting larger caliber cartridges. The proposed \$100 limit on LVS will be quickly met with small amounts of components, making this exception not as useful as intended. This will impact the smaller companies who will have increased license burden because the \$100 LVS limit will be too low to be of use.

RECOMMENDATION: We request BIS raise the value limit for the LVS exception to \$500 to match the allowance for firearm parts. We believe this is reasonable since the controls in place now under ECCN 0A018.b have an LVS allowance of \$3000 for "specially designed" components and parts for ammunition, and this allowance is much higher than the \$500 we are requesting. We also recommend BIS consider pegging the LVS value to inflation which would allow for incremental increases to match price increases over time.

We appreciate your consideration of our recommendations. Please let us know if you have questions or need any further information or clarification.

Thank you.

A handwritten signature in black ink, appearing to read "Richard Patterson", followed by a long horizontal line extending to the right.

Richard Patterson  
Executive Director

## PUBLIC SUBMISSION

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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0319

Public Comment 116. Individual. Connie Stomper. 7-2-18

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### Submitter Information

**Name:** Connie Stomper

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### General Comment

See attached file(s)

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### Attachments

comments



I am a concerned citizen and I oppose the proposed rule for the following reasons:

The proposed rule treats semi-automatic assault rifles as "non-military." But many state and non-state groups in importing countries use semi-automatic rifles in armed conflicts, causing enormous damage. U.S. troops use rifles in semi-automatic mode an overwhelming amount of the time. Regarding wide retail availability of firearms, about which comment has been requested, many countries prohibit civilian possession of semi-automatic rifles and handguns, as well as of any larger caliber firearm. Six U.S. states the District of Columbia, and several large retail chains also prohibit retail sale of semi-automatic assault rifles. Many semi-automatic rifles are also easily converted to fully automatic firearms. Because military-style assault rifles clearly have substantial military utility, transfer of these firearms to Commerce Department control is inconsistent with the statutory framework enacted by the Congress to regulate the export of arms.

The proposed rule would eliminate Congressional oversight for important gun export deals. Congress will no longer be automatically informed about sizable sales of these weapons. That will limit its ability to comment on related human rights concerns, as it recently did on the Philippines and Turkey.<sup>[ii]</sup> Congressional action in 2002 required sales of firearms regulated by the US Munitions List valued at \$1 million or more be notified to Congress. Items moved to Commerce control would no longer be subject to such notification. In a September 15, 2017, letter, Senators Benjamin Cardin, Dianne Feinstein, and Patrick Leahy explicitly noted that this move would violate Congressional intent and effectively eliminate Congress' proper role.

The new rules would transfer the cost of processing licenses from gun manufacturers to taxpayers. Registration fees that since the 1940s have been used to offset the costs to the government of tracking who is manufacturing weapons would no longer apply to manufacturers of semi-automatic weapons, and Commerce does not charge any fee for licensing. So the government -- i.e., taxpayers -- will absorb the cost of reviewing applications and processing licenses. Gun exporters that benefit from these sales should shoulder this cost.

National laws for brokers and financiers who arrange firearm shipments are a weak link in the chain of efforts to curtail trafficking of small arms and light weapons. There is good reason for concern that firearms brokers will no longer be subject to US brokering law. Although Commerce states it will retain rules on brokering for a State Department list that includes assault

rifles, there is no statutory basis for brokers of these weapons to register and obtain a license, increasing the risk of trafficking. That will make it easier for unscrupulous dealers to escape attention.[iii]

The rule reduces end-use controls for gun exports. It would eliminate the State Department's Blue Lantern program for gun and ammunition exports, which carries out hundreds of pre-license and post-shipment inspections and publicly reports on them. It also would move license approval out of the department that compiles the U.S. Government's information on human rights violations, reducing the ability to effectively deny weapons licenses to international human rights violators. End-use controls also are weakened by eliminating registration of firearms exporters, a requirement since the 1940s. Registration of exporters allows the State Department to check an exporter's history whenever a manufacturer or broker requests a license for a particular gun export sale. But the transfer of licensing to Commerce will remove new exporters and brokers of these firearms from the State Department database, weakening enforcement against arms trafficking. The rule enables unchecked gun production in the U.S. and exports abroad by removing the block on 3D printing of firearms. When Defense Distributed founder Cody Wilson posted online instructions for 3D-printing weapons, the State Department successfully charged him with violating arms export laws, since his open-source posting made it possible for anyone with access to a 3D printer, anywhere, to produce a lethal weapon. The Commerce Department is unlikely to make the same argument once those weapons are transferred to their control. Unless corrected, the new regulations run the risk of effectively condoning and enabling 3D printing of firearms in the U.S. and around the globe. By effectively eliminating many means to detect firearms, background checks on domestic sales and end-use controls on international exports for such weapons, this change could generate many preventable tragedies.

The Commerce Department does not have resources to enforce export controls, even before the addition of 30,000 firearms export licenses as a result of this rule predicted by Commerce.[iv] The BIS's enforcement office, with no staff in Latin America, Africa, or many other parts of the world, is not equipped to take the same level of preventive measures for end-use controls. Moreover, the State Department has developed extensive data, expertise and institutional relations to implement the Leahy Law for security assistance, which can serve as a critical foundation in both pre-license and post-shipment checks to control and verify end uses and end users.

Commerce does not have these resources.

The proposed change will reduce transparency and reporting on gun

exports. The rule would eliminate Congressional and public awareness of the total amount (dollar value and items) of firearms sales authorizations and deliveries around the world, since the Commerce Department annual reports currently only cover about 20 countries.

This rule would transfer gun export licensing to an agency – the Commerce Department - whose principle mission is to promote trade. Firearms, both assault weapons and non-semi-automatic weapons, are uniquely and pervasively used in criminal violence around the world. Controlling their export should be handled by the State Department, which is mandated and structured to address the potential impacts in importing nations on stability, human security, conflict, and human rights.

Firearms are used to kill a thousand people every day around the world in acts of organized crime, political violence, terrorism, and human rights violations. Research indicates that the types of weapons being transferred to Commerce control, including AR-15, AK-47, and other military-style assault rifles and their ammunition, are weapons of choice for criminal organizations in Mexico and other Latin American countries that are responsible for most of the increasing and record levels of homicides in those countries.[v] The export of these weapons should be subject to more controls, not less.

# PUBLIC SUBMISSION

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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0321

Public Comment 117. Individual. M.M. 7-1-18

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## Submitter Information

**Name:** M M

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## General Comment

I am submitting this comment in strong opposition to the proposed rule to transfer oversight of non-military firearms exports from the State Department to the Commerce Department. I cannot support any action that will endanger the lives of American citizens overseas and this change will make it easier for terrorists and foreign entities to secure American-made firearms, including deadly assault weapons, for killing Americans living, working, or traveling abroad.

In my view, the proposed rule has one purpose only: to garner profits for a U.S. gun industry that is faring poorly domestically. It comes after a multi-year lobbying campaign by the NRA and National Shooting Sports Foundation (the NSSF has already boasted the change would lead to a 20% increase in firearms exports). NO ONE other than the gun lobby asked for this change. It would make U.S. exports of small arms far more dangerous, by transferring oversight responsibilities to an agency that prioritizes business over national security. The U.S. Congress would also lose its ability to oversee commercial weapons sales of \$1 million or more, which is inane. If your agency approves this blatant corporate giveaway and vast disregard for national security, I will do everything in my power to hold your leadership accountable for the resulting bloodshed that occurs globally. That will include advocating against your budget priorities across-the-board.

I am submitting this comment anonymously as the NRA and their syncophants use threatening language against anyone who questions their reasoning, data, or motivations. This is a matter of national security. Please wake up.

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 9:01 AM
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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0323

Public Comment 118. Individual. S. Matlow 7-2-18

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## Submitter Information

**Name:** Sandra Matlow

**Address:**

Cincinnati, OH, 45211

**Email:** smatlow@peoplepc.com

**Phone:** 5136613615

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## General Comment

I am writing in opposition to moving export license oversight for firearms from the Department of State to the Department of Commerce. The proposed rule change treats semiautomatic assault rifles as non-military. This is despite the fact that U.S. troops routinely use their military rifles in semiautomatic mode and these weapons are used by state and non-state groups in armed conflicts.

The proposed rule eliminates Congressional oversight for important gun export deals; transfers the cost of processing licenses from gun manufacturers to taxpayers; and, enables unchecked gun production in the U.S. and exports abroad by removing the block on 3D printing of firearms. The proposal reduces transparency and reporting on gun exports and transfers gun export licensing from an agency with a mission to promote stability, conflict reduction, and human rights, to an agency with a mission to promote trade and which lacks the resources or the interest to adequately enforce export controls.

# PUBLIC SUBMISSION

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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0324

Public Comment 119. Individual. Margaretq Sellers. 7-2-18

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## Submitter Information

**Name:** Margaretq Sellers

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## General Comment

I am opposed to the proposed rule change because I believe that it will put more guns in the hands of people who may use them against us.



# PUBLIC SUBMISSION

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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0325

Public Comment 120. Anonymous. 7/2/18

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## Submitter Information

**Name:** Anonymous Anonymous

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## General Comment

I am a teacher and US citizen with long-standing ties to Mexico and Mexicans. I completely oppose this proposed rule. The US government should not be taking orders from the NRA, which fears losing sales in the US because of right and righteous concerns over gun violence, and so wishes to export its means of profiting. This should not be US policy, human policy, or international relations. It is a transparent give-away to forces that will only further disrupt and derail Mexico's efforts to police its drug traffickers and curb its corruption.

Please reject this proposal.

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 9:11 AM
<b>Received:</b> July 02, 2018
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<b>Posted:</b> July 12, 2018
<b>Tracking No.</b> 1k2-9421-x1wf
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0326

Public Comment 121. Individual. Benita J. Campbell. 7-2-18

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## Submitter Information

**Name:** Benita J. Campbell

**Address:**

23 Hindman Avenue  
Burgettstown, 15021-1165

**Email:** b\_j\_campbell@yahoo.com

**Phone:** 7249472790

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## General Comment

As a citizen of the United States, I have grave concerns about our violent gun culture that does so much harm to individuals, families, and society at large.

I oppose the proposed rule for the following reasons.

1. The proposed rule treats semi-automatic assault rifles as non-military. But many state and non-state groups in importing countries use semi-automatic rifles in armed conflicts, causing enormous damage. U.S. troops use rifles in semi-automatic mode an overwhelming amount of the time. Regarding wide retail availability of firearms, about which comment has been requested, many countries prohibit civilian possession of semi-automatic rifles and handguns, as well as of any larger caliber firearm. Six U.S. states the District of Columbia, and several large retail chains also prohibit retail sale of semi-automatic assault rifles. Many semi-automatic rifles are also easily converted to fully automatic firearms. Because military-style assault rifles clearly have substantial military utility, transfer of these firearms to Commerce Department control is inconsistent with the statutory framework enacted by the Congress to regulate the export of arms.
2. The proposed rule would eliminate Congressional oversight for important gun export deals. Congress will no longer be automatically informed about sizable sales of these weapons. That will limit its ability to comment on related human rights concerns, as it recently did on the Philippines and Turkey.[ii] Congressional action in 2002 required sales of firearms regulated by the US Munitions List valued at \$1 million or more be notified to Congress. Items moved to Commerce control would no longer be subject to such notification. In a September 15,



2017, letter, Senators Benjamin Cardin, Dianne Feinstein, and Patrick Leahy explicitly noted that this move would violate Congressional intent and effectively eliminate Congress proper role.

3. The new rules would transfer the cost of processing licenses from gun manufacturers to taxpayers. Registration fees that since the 1940s have been used to offset the costs to the government of tracking who is manufacturing weapons would no longer apply to manufacturers of semi-automatic weapons, and Commerce does not charge any fee for licensing. So the government -- i.e., taxpayers -- will absorb the cost of reviewing applications and processing licenses. Gun exporters that benefit from these sales should shoulder this cost.
4. National laws for brokers and financiers who arrange firearm shipments are a weak link in the chain of efforts to curtail trafficking of small arms and light weapons. There is good reason for concern that firearms brokers will no longer be subject to US brokering law. Although Commerce states it will retain rules on brokering for a State Department list that includes assault rifles, there is no statutory basis for brokers of these weapons to register and obtain a license, increasing the risk of trafficking. That will make it easier for unscrupulous dealers to escape attention.[iii]
5. The rule reduces end-use controls for gun exports. It would eliminate the State Departments Blue Lantern program for gun and ammunition exports, which carries out hundreds of pre-license and post-shipment inspections and publicly reports on them. It also would move license approval out of the department that compiles the U.S. Governments information on human rights violations, reducing the ability to effectively deny weapons licenses to international human rights violators. End-use controls also are weakened by eliminating registration of firearms exporters, a requirement since the 1940s. Registration of exporters allows the State Department to check an exporters history whenever a manufacturer or broker requests a license for a particular gun export sale. But the transfer of licensing to Commerce will remove new exporters and brokers of these firearms from the State Department database, weakening enforcement against arms trafficking.

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 9:12 AM
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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0328

Public Comment 122. Individual. Sarah Brown. 7-2-18

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## Submitter Information

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## General Comment

I hope you will oppose the Trump Administration's proposal to transfer licensing and oversight of firearms exports from the State Department to the Commerce Department. The proposal weakens controls over semiautomatic assault weapons, .50 sniper rifles, high-capacity ammunition magazines and it may deregulate 3D printing of guns. It could also weaken controls on gun imports.

The proposed transfer will likely lead to more U.S. guns getting into the hands of criminal organizations, human rights abusers, and terrorist groups around the globe.

It's no surprise that the proposed rules are a priority for the National Rifle Association and the Newtown-based National Shooting Sports Foundation. Clearly, their goal is to open up international markets to compensate for lagging domestic sales. They are willing to spread our gun violence all over the world to boost gun industry profits.

# PUBLIC SUBMISSION

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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0329

Public Comment 123. Individual. Jean Lindgren. 7-3-18

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## Submitter Information

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**Email:** lindgren.b8@gmail.com

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## General Comment

I'm a long time resident of San Francisco, California and am absolutely appalled by the hundreds...thousands...of people being killed by unstable humans...mainly white males...wielding automatic and semi-automatic weapons!!!! This MUST STOP! NO CIVILIAN NEEDS SUCH A WEAPON!!!!

Therefore, I strongly oppose the proposed rule for the following reasons:

1. It eliminates Congressional oversight for important gun export deals.
2. Transfers the cost of processing licenses from gun manufacturers to taxpayers. That's totally wrong and unfair.
3. Removes statutory license requirements for brokers thereby increasing the risk of trafficking.
4. Reduces or eliminates end-use controls, such as the State Depts Blue Lantern program...eliminating registration of firearms exporters has been a requirement since the 1940s for very good reasons!
5. Enables unchecked gun production in the U.S. and exports abroad by removing the block on 3D printing of firearms.
6. Reduces transparency and reporting on gun exports.
7. Transfers gun export licensing from the agency with a mission to promote stability, conflict reduction, and human rights, to an agency with mission to promote trade.
8. Firearms are used to kill a thousand people every day around the world in acts of organized crime, political violence,

terrorism, and human rights violations. They should be subject to more controls, not less!

9. Ideally, automatic and semi-automatic weapons should be removed from the market entirely and not manufactured in the first place.

Thanks for your consideration.

Jean Lindgren

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# PUBLIC SUBMISSION

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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0333

Public Comment 124. Individual. Terrie Williams. 7-3-18

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## Submitter Information

**Name:** Terrie Williams

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## General Comment

When Defense Distributed founder Cody Wilson posted online instructions for 3D-printing weapons, the State Department successfully charged him with violating arms export laws, since his open-source posting made it possible for anyone with access to a 3D printer, anywhere, to produce a lethal weapon. The Commerce Department is unlikely to make the same argument once those weapons are transferred to their control. Unless corrected, the new regulations run the risk of effectively condoning and enabling 3D printing of firearms in the U.S. and around the globe. By effectively eliminating many means to detect firearms, background checks on domestic sales and end-use controls on international exports for such weapons, this change could generate many preventable tragedies.

The Commerce Department does not have resources to enforce export controls, even before the addition of 30,000 firearms export licenses as a result of this rule predicted by Commerce.[iv] The BISs enforcement office, with no staff in Latin America, Africa, or many other parts of the world, is not equipped to take the same level of preventive measures for end-use controls. Moreover, the State Department has developed extensive data, expertise and institutional relations to implement the Leahy Law for security assistance, which can serve as a critical foundation in both pre-license and post-shipment checks to control and verify end uses and end users. Commerce does not have these resources.

The proposed change will reduce transparency and reporting on gun exports. The rule would eliminate Congressional and public awareness of the total amount (dollar value and items) of firearms sales authorizations and deliveries around the world, since the Commerce Department annual reports currently only cover about 20 countries.

This rule would transfer gun export licensing to an agency the Commerce Department - whose principle mission is to promote trade. Firearms, both assault weapons and non-semi-automatic weapons, are uniquely and pervasively used in criminal violence around the world. Controlling their export should be handled by the State Department, which is mandated and structured to address the potential impacts in importing nations on stability, human security, conflict, and human rights.

Firearms are used to kill a thousand people every day around the world in acts of organized crime, political

violence, terrorism, and human rights violations. Research indicates that the types of weapons being transferred to Commerce control, including AR-15, AK-47, and other military-style assault rifles and their ammunition, are weapons of choice for criminal organizations in Mexico and other Latin American countries that are responsible for most of the increasing and record levels of homicides in those countries. The export of these weapons should be subject to more controls, not less.

# PUBLIC SUBMISSION

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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0335

Public Comment 125. Individual. Deirdre Dreslough. 7-3-18

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## Submitter Information

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## General Comment

Please leave the regulations as they stand. The more oversight for weapons sales and exports, the better. This is just a play for profits by a few organizations and companies and the USA, and the pain and inhumanity these weapons will bring to other nations will be a stain upon our national soul; all our souls. If anything, increase regulations on weapons exports, or eliminate them entirely. Please uphold the peaceful wishes of the majority of Americans.

"I am submitting this comment in strong opposition to the proposed rule to transfer oversight of small arms (firearms) exports from the State Department to the Commerce Department. This rule would make U.S. exports of small arms far more dangerous by transferring controls to an agency that prioritizes doing business over safeguarding national security. The rules elimination of congressional oversight of commercial weapons sales of \$1 million or more is also reckless. This rule has one purpose only: to garner profits for a U.S. gun industry that is faring poorly in the domestic market. It comes after years of lobbying by the NRA and National Shooting Sports Foundation. No one elsed asked for it or wanted it. The NSSF, the trade group for the gun industry, has already boasted the rule would lead to a 20% increase in American gun exports. We see the gun lobbys influence in the rules description of semiautomatic assault rifles like the AR-15 as civilian products. These weapons were not designed for household use, they were designed to kill en masse on the battlefield. That is why they are the weapons of choice for mass shooters. If you go forward with this disastrous policy, I will do everything in my powerpeacefully and democraticallyto hold your leadership accountable for the resulting global bloodshed. That will include advocating against your budget priorities across-the-board until a new, non-corrupt administration can come in and clean house."





# PUBLIC SUBMISSION

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Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0336

Public Comment 126. Anonymous. 7-3-18

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## Submitter Information

**Name:** Anonymous Anonymous

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## General Comment

Don't export our firearms problems. Don't further line the pockets of the merchants of death.

# PUBLIC SUBMISSION

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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0337

Public Comment 127. Individual. Pamela Johnston. 7-3-18

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## Submitter Information

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## General Comment

I wish to speak out against this proliferation of weapons used in war and crime, as follows:

Treats semi-automatic assault rifles as non-military, despite their use by U.S. troops, their use by state and non-state groups in armed conflicts, and their prohibition for civilian possession in many countries.

Eliminates Congressional oversight for important gun export deals.

Transfers the cost of processing licenses from gun manufacturers to taxpayers.

Removes statutory license requirements for brokers, increasing risk of trafficking.

Reduces or eliminates end-use controls, such as State Depts Blue Lantern program, and by eliminating registration of firearms exporters, a requirement since the 1940s.

Enables unchecked gun production in the U.S. and exports abroad by removing the block on 3D printing of firearms.

The Commerce Department does not have the resources to enforce export controls, even now.

Reduces transparency and reporting on gun exports.

Transfers gun export licensing from agency with mission to promote stability, conflict reduction, and human rights, to an agency with mission to promote trade.

Firearms are used to kill a thousand people every day around the world in acts of organized crime, political violence, terrorism, and human rights violations. They should be subject to more controls, not less.

I oppose the proposed rule for the following reasons:

The proposed rule treats semi-automatic assault rifles as non-military. But many state and non-state groups in importing countries use semi-automatic rifles in armed conflicts, causing enormous damage. U.S. troops use rifles in semi-automatic mode an overwhelming amount of the time. Regarding wide retail availability of firearms, about which comment has been requested, many countries prohibit civilian possession of semi-automatic rifles and handguns, as well as of any larger caliber firearm. Six U.S. states the District of Columbia, and several large retail chains also prohibit retail sale of semi-automatic assault rifles. Many semi-automatic rifles are also easily converted to fully automatic firearms. Because military-style assault rifles clearly have substantial military utility, transfer of these firearms to Commerce Department control is inconsistent with the statutory framework enacted by the Congress to regulate the export of arms.

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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0338

Public Comment 128. American Entertainment Armories Association. Michael Faucette. 7-3-18

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## Submitter Information

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**Phone:** 2026260089

**Organization:** Mark Barnes & Associates on behalf of the American Entertainment Armories Association

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## General Comment

See attached file(s)

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## Attachments

ECR TMP Comment

**AEAA Comment on Proposed Rule for “Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the USML”**

**RIN 0694-AF47**

This law firm, Mark Barnes & Associates, submits this comment on behalf of our client, the American Entertainment Armories Association (“AEAA”). The AEAA is a trade group comprised of several companies and over 100 individual armorers who provide weapons in support of film and theatrical productions.<sup>1</sup>

Unlike many other items that have transitioned from the USML to the CCL, firearms are subject to unique restrictions on the permanent import side under the jurisdiction of the ATF. The State Department’s jurisdiction over temporary exports and temporary imports has played an important role in the firearms industry by providing companies (movie armorers in particular) with a viable method of bringing their guns back into the U.S. without running afoul of ATF’s strict importation prohibitions under 18 U.S.C. § 922(l) and § 925(d)(3). While we support Export Control Reform’s transition of these items from the USML to the CCL, we also urge the Department of Commerce to maintain a temporary export and temporary import process that allows an alternative to ATF’s vigorous import restrictions.

We are concerned that BIS’s proposed rule does not provide a mechanism, such as a DSP-73, for certain firearms to be temporarily exported and subsequently returned to the United States, given the firearm importation prohibitions under 18 U.S.C. § 922(l) and § 925(d)(3).

Accordingly, for the reasons stated below, we respectfully request the following:

- TMP exemption be expanded beyond paragraphs (a)(5) and (a)(6) to also allow for use in film production;
- To remove the 75 firearm limit when in furtherance of a film production;
- **Most importantly, in situations where the TMP exemption is unavailable, we request that BIS consider a procedure or license, similar to a DSP-73, that will allow for the temporary export and re-importation of firearms. Without such a measure, movie armorers will be significantly restricted in their ability to temporarily export and import non-automatic and semiautomatic firearms for film use.**

**CURRENT PRACTICE**

Individual companies within the AEAA are regularly contracted by major film production companies to temporarily supply weapons needed for various film projects worldwide. All of these companies hold Federal Firearms Licenses, are registered with DDTC, and are subject to audit by the ATF. When a movie is filmed overseas that requires firearms and ammunition, these armorers are required to obtain DSP-73 temporary export licenses from DDTC. The practice has become so

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<sup>1</sup> The question is often asked why movies need to use real firearms. The performance of the actors, especially method actors, are directly associated with having the feel, weight, recoil, muzzle flash, ejection, etc. of the real thing. Thus, actors will oftentimes prefer to handle the real thing. Aside from that, there is the visual of the gun itself and the flash it creates that give film makers their desired effect which cannot be duplicated otherwise.

routine that in 2013 DDTC published firearms guidelines which included requirements for the following documentation to be uploaded with all DSP-73 applications for overseas movie productions:

- Import permit issued by foreign government;
- Plot summary;
- A security plan that details who will maintain dominion and control of the firearms and the procedures in place to prevent diversion;
- Manifest;
- A statement that any unfired blank ammunition would be returned to the US; and

A DSP-73 license is vital because it covers both the US export and US import requirements. If the armorers were only able to obtain a DSP-5 permanent export license, the return of the exported firearms would be subject to ATF's permanent import process which restricts many types of firearms pursuant to federal law. For example, ATF policy is to deny the following three types of firearms pursuant to 18 U.S.C. § 925(d)(3):

1. Firearms not generally recognized as particularly suitable for or readily adaptable to sporting purposes ("non-sporting" firearms) – in a 1998 policy paper, ATF interpreted this to include any firearms that have certain cosmetic features;
2. Military surplus firearms; or
3. Firearms regulated under the National Firearms Act (machineguns, short barreled rifles, short barreled shotguns, destructive devices, and certain other weapons).

In order to comply with the above restrictions, ATF requires each firearm model be submitted for evaluation to determine if the above criteria is met. If ATF concludes that a particular firearm is not captured by one of the above three disqualifiers, the importer will be allowed to apply for a Form 6. Even if given the go ahead to apply, a Form 6 import permit application can take several months to process.

Clearly, the ATF Form 6 process is not intended to be used for firearms that leave the United States on a temporary basis. Moreover, most firearms temporarily exported for the movie industry are either military surplus, non-sporting, or National Firearms Act weapons, of which importation is prohibited.

The EAR's current regulation of shotguns under ECCN 0A984 has already presented the movie industry with significant problems when attempting to use the EAR's temporary export ("TMP") exemption. Because this ECCN 0A984 is subject to the Crime Control restrictions, there are very few countries where the TMP exemption can be used. *See* 15 C.F.R. § 740.2(a)(4). For example, there has recently been a large influx of movies being filmed on location in Colombia. Because TMP is unavailable for Crime Control countries such as Colombia, the armorer would need a BIS export license to export non-sporting shotguns. However, once the non-sporting shotguns were exported, § 925(d)(3) would prohibit their return to the United States. As such, shotguns are routinely removed from movie story lines because of the inability to return them to the United States without going through the burdensome ATF import process. In several instances, the production company has even contemplated having the armorers shorten the shotgun barrels to

below 18 inches, thereby placing them under ITAR jurisdiction so that they could be exported and returned all under one DSP-73. As explained below, the proposed rule only exacerbates this problem by offering TMP as the only temporary export/import mechanism.

### **PROPOSED RULES**

As mentioned, when the TMP exemption is unavailable and a BIS license is required, it is impossible for movie armorers to return to the United States with the firearms they exported for film use. It is additionally not clear that movie production would even fit within one of the two approved uses of TMP in the proposed rules.

#### Approved TMP Uses

The proposed rules block the use of the TMP exemption for ECCN 0A501.a or .b firearms and shotguns with barrels under 18 inches in length (ECCN 0A502) under TMP *unless* such a transaction is in furtherance of

- “Exhibition and demonstration” under § 740.9(a)(5); or
- “Inspection, test, calibration, and repair” under § 740.9(a)(6).

The plain language of paragraphs (a)(5) and (a)(6) indicates that overseas movie production would not be a valid use of the TMP movie exemption. Paragraph (a)(5) envisions either display at a trade show or demonstration for a prospective buyer in anticipation of a sale. Furthermore, it requires “that the exporter, an employee of the exporter, or the exporter’s designated sales representative retains ‘effective control’ over the commodities ... while they are abroad.” In many cases, foreign laws will not allow firearms to be under the “effective control” of private parties. As such, foreign governments will often mandate that their police or military maintain secure possession of the firearms while not on the film set, further preventing us from complying with paragraph (a)(5). Paragraph (a)(6) which allows “Commodities to be inspected, tested, calibrated, or repaired abroad” under the TMP exemption, is consonantly inapplicable to film production.

#### 75 Gun Limit

We understand why TMP is limited to 75 firearms per shipment. However, this restriction further limits our ability to claim TMP as an exemption. Larger film productions such as war movies, will oftentimes require well beyond 75 firearms. Productions such as Warner Bros. / Dreamwork’s *Flags of Our Fathers* and *Letters from Iwo Jima* required US armorers to temporarily export over 700 non-automatic or semiautomatic firearms. Had BIS’s proposed rules been in place at that time, there would have been no way to export those vintage military surplus firearms and subsequently bring them back into the United States.

### **CONCLUSION**

For the aforementioned reasons, we respectfully request that TMP be broadened for film use, and where TMP is not available, that a mechanism be available to return the firearms to the United States. Should you have any questions on this comment, please do not hesitate to contact Michael Faucette at (202) 626-0085 or michael.faucette@mbassociateslaw.com.



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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0339

Public Comment 129. Individual. Sandra Spence. 7-3-18

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## Submitter Information

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## General Comment

I am submitting this comment in strong opposition to the proposed rule to transfer oversight of small arms (firearms) exports from the State Department to the Commerce Department.

What I don't understand (but have figured out what I believe) is that the Administration has chosen to strengthen its already strong relationship with the NRA and its funders in the gun manufacturing industry to shore up that industry.

Meanwhile the Administration is treating people coming here to escape the escalating violence in their communities in Central America as if they were the criminals, going so far as to separate young children from their parents.

This proposed regulation would only result in even more violence and even more people trying to seek refuge in the U.S. from the violence our own policies would encourage.

This is immoral and should not be allowed.

This rule would make U.S. exports of small arms far more dangerous by transferring controls to an agency that prioritizes doing business over safeguarding national security. The rules elimination of congressional oversight of commercial weapons sales of \$1 million or more is also reckless.

This rule has one purpose only: to garner profits for a U.S. gun industry that is faring poorly in the domestic market. It comes after years of lobbying by the NRA and National Shooting Sports Foundation. No one elsed asked for it or wanted it. The NSSF, the trade group for the gun industry, has already boasted the rule would lead



to a 20% increase in American gun exports. We see the gun lobby's influence in the rules description of semiautomatic assault rifles like the AR-15 as civilian products. These weapons were not designed for household use, they were designed to kill en masse on the battlefield. That is why they are the weapons of choice for mass shooters.

If you go forward with this disastrous policy, I will do everything in my power peacefully and democratically to hold your leadership accountable for the resulting global bloodshed. That will include advocating against your budget priorities across-the-board until a new, non-corrupt administration can come in and clean house.

# PUBLIC SUBMISSION

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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0340

Public Comment 130. Individual. Julie Graves. 7-3-18

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## Submitter Information

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## General Comment

This is to express my opposition to changes in regulation of firearms export. American weapons makers do not contribute positively to our economy. Their products lead to increased health care costs, job loss, loss of productivity, increased costs for care and housing of those with gunshot wound-induced disability, and harm to the environment. Spreading this harm to others in the world is irresponsible. Work instead to find other means for these weapons makers to manufacture items that contribute positively to the economy.

# PUBLIC SUBMISSION

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Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0342

Public Comment 131. Raytheon Company. Karri Allen. 7-3-18

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## Submitter Information

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**Organization:** Raytheon Company

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## General Comment

Please see attached.

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## Attachments

Raytheon Company Comments BIS Firearms and Ammo ECCNs (83 Fed Reg 24166) (filed 2018-07-03)

July 3, 2018

U.S. Department of Commerce  
Bureau of Industry and Security  
Regulatory Policy Division  
Room 2009B, 14th Street NW  
Washington, DC 20230  
*Via: [www.regulations.gov](http://www.regulations.gov)*

**Subject: Raytheon Company Comments on Firearms, Guns, Ammunitions, and Related Articles**  
**Ref: 83 Fed. Reg. 24166 (May 24, 2018)**  
**Docket ID: BIS-2017-0004**

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On May 24, 2018, the Department of Commerce, Bureau of Industry and Security (“BIS”) requested comments from the public on the proposed rule to transition certain items from United States Munitions List (“USML”) Categories I, II, and III to the Commerce Control List (“CCL”). Below please find comments from Raytheon.

**License Exception TMP and New § 758.10**

The temporary import and subsequent export exception and clearance rules proposed in 15 C.F.R. §§ 740.9 and 758.10 appear to seek to introduce mechanisms currently available to temporarily import certain items controlled on the USML after they transition to the CCL. Currently, permanent imports are regulated by the Attorney General under the direction of the Department of Justice's Bureau of Alcohol, Tobacco, Firearms, and Explosives (“ATF”) whereas temporary imports are regulated by the Department of State, Directorate of Defense Trade Controls (“DDTC”). Under the International Traffic in Arms (“ITAR”), approval for temporary imports and subsequent exports is accomplished through a DSP-61 (temporary import license) or exemptions such as 22 C.F.R. §123.4. The ITAR draws a clear distinction between permanent and temporary import jurisdiction in 22 C.F.R. §120.18, although certain items regulated under the Gun Control Act or National Firearms Act, if authorized for import under those laws, continue to require transactional import approval from ATF for temporary imports unless ATF Ruling 2004-2 (April 7, 2004) permits the DSP-61 or ITAR exemption to substitute for this approval.

Existing mechanisms such as the DSP-61, the 22 C.F.R. §123.4 exemption, and the related ATF Ruling 2004-2 allow for temporary imports to be subsequently exported from the U.S. for a period of up to four years. It is unclear whether ATF Ruling 2004-2 will be amended to account for this USML to CCL transition but assuming it will be, as that would be necessary to keep industry in the same position as currently, the method proposed in the BIS proposed rule would permit temporary import and subsequent export within a period of only one year compared to four years under the current setup. We recommend that the period in 15 C.F.R. § 740.9(b)(5) be extended to four years as certain activities for which a temporary import is

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required cannot always be accomplished within one year and a four year period is necessary to keep industry in the same position as it currently is.

Additionally, under DDTC's current practice, if a temporary import originally intended to be exported within four years later needs to stay in the U.S. for a period of longer than four years, industry can request a replacement DSP-61 or General Correspondence from DDTC to extend the period of time. It is unclear what mechanism BIS would use to administer similar requests so we request clarification on this issue. If the TMP exception temporary import time period remains at one year, the need for this mechanism will be increasingly important.

Finally, the proposed additions to 15 C.F.R. § 740.9 include an instruction directing temporary importers and exporters to contact CBP at the port of temporary import or export, or at the CBP website, for the proper procedures to provide any data or documentation required by BIS. Raytheon recommends that BIS and CBP coordinate to create standardized instructions for all ports that can be made available online so that each shipment does not have to be specially coordinated.

### **Effective Date**

Raytheon strongly supports using a delayed effective date of 180 days as has been done for other USML to CCL transitions. Such transitions require updates to IT systems, policies, processes, and training which require time to complete. Based on experiences in performing these tasks during previous transitions, the full 180 days is necessary.

We appreciate the ability to comment and thank you for your partnership.

\* \* \*

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 9:52 AM
<b>Received:</b> July 03, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 12, 2018
<b>Tracking No.</b> 1k2-942j-lxpr
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0344

Public Comment 132. Individual. Adele Riffe. 7-3-18

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## Submitter Information

**Name:** Adele Riffe

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## General Comment

The Trump administration has proposed to make it easier for U.S. gun makers to export guns and ammunition globally, even though U.S.-exported firearms are already used in countless crimes, attacks and human rights violations in Latin America, the Middle East, Africa and around the world.

The proposal would move export licenses for semi-automatic assault weapons, sniper rifles, and other powerful firearms from the State Department to the Commerce Department, removing Congressional oversight, weakening controls on who ends up with the weapons and even lifting restrictions on 3D printing of guns that would permit production of guns both overseas and here at home. The U.S. gun industry and the NRA have pushed hard for these changes to make up for falling gun sales. The Commerce Department estimates that the proposed change would apply to 10,000 gun export applicants a year.

Please do not allow any weakening of controls or restrictions on gun and ammunitions licensing, sales and/or production - either nationally or abroad. We need common-sense restrictions on guns. The NRA just wants to sell more guns, to improve its profits. It does not care that its actions have direct consequences on our lives, increasing the probablitiy that someone we love might be involved in gun-related violence.

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 10:45 AM
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<b>Posted:</b> July 12, 2018
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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0352

Public Comment 133. Individual. Marie Lucey. 7-3-18

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## Submitter Information

**Name:** Marie Lucey

**Address:**

5018 36th Avenue  
Hyattsville, 20782

**Email:** [lucey@franciscanaction.org](mailto:lucey@franciscanaction.org)

**Phone:** 202-527-7562

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## General Comment

My name is Sister Marie Lucey, and I am a Catholic Franciscan Sister serving as Associate Director of Franciscan Action Network (FAN) in Washington, DC. FAN is a member of Faiths United to Prevent Gun Violence, and works to reduce gun violence in our country at national, state and local levels. We regret that firearms are a major export of the United States and believe that gun export regulation is important. We oppose the proposed rule change for many reasons including the following:

Departments of State and Commerce have different missions, purposes, and roles and gun export licensing should not be transferred from an agency with a mission to promote stability, conflict reduction and human rights to an agency whose mission is to promote trade.

The proposed rule would eliminate Congressional oversight for significant gun export deals, and its ability to comment on related human rights concerns would be limited. In a September, 2017 letter, Senators Cardin (senator in my state of residence), Feinstein and Leahy noted that this move would violate Congressional intent and effectively eliminate Congress' proper role.

The rule enables unchecked gun production in the U.S. and exports abroad by removing the block on 3D printing of firearms. Unless corrected, the new regulations run the risk of condoning and enabling 3D printing of firearms in the U.S. and elsewhere.

Firearms are used around the world to kill a thousand people every day in acts of organized crime, political

violence, terrorism, and human rights violations. Military-style assault rifles and ammunition transferred to Commerce control are weapons of choice for criminal organizations in Mexico and Latin American countries, especially the Northern Triangle, that are responsible for record levels of homicides. The export of such weapons need more, not fewer, controls



# PUBLIC SUBMISSION

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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0353

Public Comment 134. Individual. Susan Hornik. 7-3-18

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## Submitter Information

**Name:** Susan Hornik

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## General Comment

I am extremely concerned with gun violence against civilians both within the US and around the world, and I strongly oppose moving export licenses of assault weapons and other powerful firearms from the State Department to the Commerce Department. The proposed rule treats semi-automatic assault rifles as non-military. But many state and non-state groups in importing countries use semi-automatic rifles in armed conflicts so this is a fiction. Additionally, many semi-automatic rifles are also easily converted to fully automatic firearms. Because military-style assault rifles clearly have substantial military utility, transfer of these firearms to Commerce Department control is inconsistent with the statutory framework enacted by the Congress to regulate the export of arms.

In fact, the proposed rule would eliminate Congressional oversight for important gun export deals. Congress will no longer be automatically informed about sizable sales of these weapons.

Additionally, many countries prohibit civilian possession of semi-automatic rifles and handguns, as well as of any larger caliber firearm. Hence, there is reason for considerable concern that firearms brokers will no longer be subject to US brokering law. National laws for brokers and financiers who arrange firearm shipments are a weak link in the chain of efforts to curtail trafficking of small arms and light weapons now. Although Commerce states it will retain rules on brokering for a State Department list that includes assault rifles, there is no statutory basis for brokers of these weapons to register and obtain a license, increasing the risk of trafficking.

Finally, the new rules would transfer the cost of processing licenses from gun manufacturers to taxpayers. Why should citizens pay for gun exporters to profit? Its another absurd example of corporate welfare.

# PUBLIC SUBMISSION

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<b>Tracking No.</b> 1k2-942k-iug8
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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0354

Public Comment 135. Individual. Fred Sigworth. 7-3-18

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## Submitter Information

**Name:** Fred Sigworth

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Hamden, 06517

**Email:** fsigworth@gmail.com

**Phone:** 203 314 2144

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## General Comment

Please do not relax rules for export of firearms.

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 10:53 AM
<b>Received:</b> July 03, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 12, 2018
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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0356

Public Comment 136. Individual. Kenneth Foscue. 7-3-18

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## Submitter Information

**Name:** Kenneth Foscue

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NORTH HAVEN, CT, 06473

**Email:** kfosc@snet.net

**Phone:** 2032302488

**Organization:** CT Department of Public Health

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## General Comment

I urge the Commerce and State Departments to oppose relaxing rules that would make it easier for U.S. firearm manufacturers to export assault rifles and other guns, with less oversight and accountability. With gun violence killing 1,000 people around the world every day, we should be making it harder, not easier, to export U.S. made weapons of war.

As a resident of Connecticut, I have seen the horror of gun violence at its worst at the Sandy Hook elementary school in 2014!

# PUBLIC SUBMISSION

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<b>Tracking No.</b> 1k2-942k-b5am
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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0357

Public Comment 137. Individual. William Steinmayer. 7-3-18

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## Submitter Information

**Name:** William Steinmayer

**Address:**

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Mystic, CT, 06355

**Email:** wsteinmayer@aol.com

**Phone:** 860 572 0091

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## General Comment

I strongly oppose the decision to move oversight on the sale of assault weapons from the State Department to the Department of Commerce. These weapons should be classified as strictly for military use, which this rule violates.

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 10:56 AM
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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0358

Public Comment 138. Individual. Peter Gottschalk. 7-3-18

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## Submitter Information

**Name:** Peter Gottschalk

**Address:**

6 Browns Lane  
Old Lyme, CT,

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## General Comment

To Whom It May Concern:

The loosening of firearm export rules fuels violence around the globe. There are two compelling reasons to not do so.

1. The basic moral wrong perpetuated by providing more lethal weapons used in ways that kill civilians and destabilize societies.
2. While most Americans may not appreciate the havoc wrought by our weapon exports, people across the globe recognize the weapons used to harm their families and friends, and damage their societies and economies. Many people understand who are the manufacturers of specific armaments and associate the nations from which they originate with the violence they perpetuate. This is a grassroots foreign policy disaster for the United States.

Please maintain if not strengthen the rules already in place.

Thank you for your consideration.

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 10:57 AM
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<b>Posted:</b> July 12, 2018
<b>Tracking No.</b> 1k2-942k-6763
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0359

Public Comment 139. Anonymous. 7-3-18

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## Submitter Information

**Name:** anonymous Anonymous

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## General Comment

Exporting firearms that will likely be used to kill non-military citizens is not helpful to longevity for peace-loving individuals. Please do not allow this BIS rule to pass.

My study of preventive medicine is not in synch with this rule.

# PUBLIC SUBMISSION

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<b>Tracking No.</b> 1k2-942k-8kpr
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0360

Public Comment 140. Individual. Peter Hanson. 7-3-18

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## Submitter Information

**Name:** Peter Hanson

**Address:**

81 Marvin Ridge Road  
New Canaan, CT, 06840

**Email:** peterh9@optonline.net

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## General Comment

Please keep gun exports accountable and having oversight. Let's not export murder.

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 10:59 AM
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<b>Posted:</b> July 12, 2018
<b>Tracking No.</b> 1k2-942k-fgqx
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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0361

Public Comment 141. Individual. Jeremy Stein. 7-3-18

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## Submitter Information

**Name:** Jeremy Stein

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## General Comment

I urge the Commerce and State Departments to oppose relaxing rules that would make it easier for U.S. firearm manufacturers to export assault rifles and other guns, with less oversight and accountability. With gun violence killing 1,000 people around the world every day, we should be making it harder, not easier, to export U.S. made weapons of war. Guns do no make us safer. Exporting more guns outside of the US would only make the rest of the world suffer the same amount of gun violence that is plaguing the US.



# PUBLIC SUBMISSION

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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0362

Public Comment 142. Individual. Leslie Bhutan. 7-3-18

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## Submitter Information

**Name:** Leslie Bhutan

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## General Comment

I oppose any loosening of laws that result in increased sales and exports of guns from the US. It is awful enough that our country has almost the highest rate of gun deaths per capita in the world. We should increase restrictions on ALL gun purchases by everyone everywhere, not increase them!

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 11:03 AM
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<b>Posted:</b> July 12, 2018
<b>Tracking No.</b> 1k2-942l-ex0b
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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0363

Public Comment 143. Individual. Art Hunt. 7-3-18

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## Submitter Information

**Name:** Art Hunt

**Address:**

86 Edgemere Road

Hamden, 06517

**Email:** art@cheswood.com

**Phone:** 2032883530

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## General Comment

I am opposed to moving export license oversight for firearms from the Department of State to the Department of Commerce. The export of firearms is a state department responsible not a commerce department responsibility. The proposed rule change treats semiautomatic assault rifles as non-military when they have significant military uses especially by non-state actors.

The proposed rule also: eliminates Congressional oversight for important gun export deals; transfers the cost of processing licenses from gun manufacturers to taxpayers; and, enables unchecked gun production in the U.S. and exports abroad by removing the block on 3D printing of firearms.

The proposal reduces transparency and reporting on gun exports and transfers gun export licensing from an agency with a mission to promote stability, conflict reduction, and human rights, to an agency with a mission to promote trade and which lacks the resources to adequately enforce export controls.

keep the oversight within the Department of State.

Thank you for considering my comments.

# PUBLIC SUBMISSION

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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0364

Public Comment 144. Individual. Jason Miller. 7-3-18

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## Submitter Information

**Name:** Jason Miller

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801 North Monroe

Apt. 213

Arlington, VA, 22201

**Email:** jason@franciscanaction.org

**Phone:** 703-888-2570

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## General Comment

My name is Jason Miller and I am the Director of Campaigns and Development at the Franciscan Action Network in Washington, D.C. As a person of faith, I am extremely disturbed that guns are a major export of the United States and believe that gun export regulation is important. I oppose the proposed rule change because as Pope Francis said: there is a piecemeal world war III currently being waged and the United States is one of the biggest players. Instead we must work for diplomacy and peace.

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 11:05 AM
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<b>Tracking No.</b> 1k2-942l-8j1j
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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0365

Public Comment 145. Individual. patti keegan. 7-3-18

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## Submitter Information

**Name:** patti keegan

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## General Comment

How many people must die in the cause of the NRA and the gun manufacturer. And now we will allow them to sell their guns to other countries. What so they can ban together and come back to the U.S. and kill more Americans. Do we not have some moral responsibility to the people of the world as well as our own?

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 11:06 AM
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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0366

Public Comment 146. Individual. Erin Freed. 7-3-18

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## Submitter Information

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Longmeadow, MA, 01106

**Email:** ebfreed15@gmail.com

**Phone:** 4135755869

**Fax:** 01106

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## General Comment

I am writing to oppose changing the rules so as to make it easier for U.S. firearm manufacturers to export assault rifles and other guns. We need the valuable oversight and accountability that is provided by the current law.

With gun violence killing 1,000 people around the world every day, we should be making it harder, not easier, to export U.S. made weapons of war.

Thank you.

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 11:07 AM
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<b>Status:</b> Posted
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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0367

Public Comment 147. Individual. Scott Schweizer. 7-3-18

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## Submitter Information

**Name:** Scott Schweizer

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Norwalk, CT, 06851

**Email:** scotts2@optonline.net

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## General Comment

As a veteran of the Persian Gulf War I oppose the gun industrys agenda of loosening rules, regulations and export controls. Stand up to the gun lobby now.

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 11:08 AM
<b>Received:</b> July 03, 2018
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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0368

Public Comment 148. Individual. Henry Lowendorf. 7-3-18

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## Submitter Information

**Name:** Henry Lowendorf

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New Haven, 06511

**Email:** grnhpeacecouncil@gmail.com

**Phone:** 2033899547

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## General Comment

Our guns kill children everywhere. The government of the U.S.A. should not be supporting businesses that provide the means for killing children at home and abroad. The merchants of death do not care how their products are used as long as they profit. But the people of this country and our government ought not to be promoting the movement of arms around the world.

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 11:09 AM
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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0369

Public Comment 149. Individual. Margaret Brown. 7-3-18

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## Submitter Information

**Name:** Margaret Brown

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## General Comment

I am strongly OPPOSED to relaxing rules that would make it easier for U.S. firearm manufacturers to export assault rifles and other guns, with less oversight and accountability. Gun violence is a major killer, taking the lives of 1,000 people around the world every day! We should be making it harder, not easier, to export U.S. made weapons of war.



# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 11:10 AM
<b>Received:</b> July 03, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 12, 2018
<b>Tracking No.</b> 1k2-942m-t97g
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0370

Public Comment 150. Individual. Cindy Ware. 7-3-18

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## Submitter Information

**Name:** Cindy Ware

**Address:**

1208 Skycrest Drive #1  
Walnut Creek, CA, 94595

**Email:** cindyware@mac.com

**Phone:** 9259561743

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## General Comment

I strongly urge our United States Commerce and State Departments to oppose relaxing rules that would make it easier for U.S. firearm manufacturers to export assault rifles and other guns, with less oversight and accountability.

Gun violence is a real and ever-increasing threat both here and abroad. I do not want our government to make it easier for American guns to cause tragedies either here or abroad.

We all should be making it HARDER, not easier, to export U.S. made weapons of war.

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 11:11 AM
<b>Received:</b> July 03, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 12, 2018
<b>Tracking No.</b> 1k2-942m-nwlq
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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0371

Public Comment 151. Individual. Star Star. 7-3-18

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## Submitter Information

**Name:** Star Star

**Address:**

Somersworth, NH, 038782727

**Email:** grammystar@gmail.com

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## General Comment

switching the regulation of firearms exports from the State Department to the Commerce Department would facilitate firearms exports to oppressive regimes, remove safeguards that help keep extra-legal agents like organized crime and terrorist organizations from obtaining weapons, and further fuel violence that destabilizes countries and causes mass migration.[4]

Here are more details on how the rule change would make the world a far more dangerous place:

It would eliminate the State Departments Blue Lantern program, in place since 1940, which carries out hundreds of pre-license and post-shipment inspections and publicly reports on them.[5]

It would remove licensing requirements for brokers, increasing the risk of trafficking.[6]

It would remove the State Departments block on the 3D printing of firearms. When Defense Distributed founder Cody Wilson posted online instructions for how to 3D print weapons, the State Department successfully charged him with violating arms export laws, since his open-source posting made it possible for anyone with access to a 3D printer, anywhere, to produce a lethal weapon. The rule switch would remove this block, effectively enabling 3D printing of firearms in the U.S. and around the globe.[7]

Submit comments now to the State Department and the Commerce Department opposing the rule change.

\*You can copy and paste the points in this email or use your own voice to make unique comments to the State and Commerce Departments.

U.S. Department of State: <https://action.momsrising.org/go/38289?t=10&akid=11002%2E2254141%2Ezo8aRS>

U.S. Department of Commerce: <https://action.momsrising.org/go/38290?t=12&akid=11002%2E2254141%2Ezo8aRS>

Firearms are dangerous. They are used to kill people every day around the world in acts of organized crime, political violence, terrorism, and human rights violations. They should be subject to more controls, not less!

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 11:13 AM
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<b>Posted:</b> July 12, 2018
<b>Tracking No.</b> 1k2-942m-2rab
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0372

Public Comment 152. Individual. Peter Davison. 7-3-18

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## Submitter Information

**Name:** Peter Davison

**Address:**

Idyllwild, CA, 92549

**Email:** DAVISON@PETERDAVISON.COM

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## General Comment

Stop with the guns already, many civilized nations have and people live without the fear that they are going to be shot any minute. I know guns make a lot of money, but maybe there are better ways to make money.

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 11:15 AM
<b>Received:</b> July 03, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 12, 2018
<b>Tracking No.</b> 1k2-942m-94f3
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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0373

Public Comment 153. Individual. Jean G. Cochran. 7-3-18

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## Submitter Information

**Name:** Jean G. Cochran

**Address:**

900 E. Harrison Ave.

A-15

Pomona, CA, 91767-2075

**Email:** cochrancosmocat@verizon.net

**Phone:** 9096247645

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## General Comment

I oppose the sale of military firearms to other countries. This would simply escalate already dangerous conflicts and harm innocent civilians.

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 12:40 PM
<b>Received:</b> July 03, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 12, 2018
<b>Tracking No.</b> 1k2-942n-fqpu
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0379

Public Comment 154. Individual. TAINA LITWAK. 7-3-18

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## Submitter Information

**Name:** TAINA LITWAK

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## General Comment

Please do not approve this rule. ALL our arms exports need to be monitored and need to be kept on the USML

The NRA and gun manufacturers are pushing hard for this rule change. The President will go along with whatever they tell him is "good for American Business" They want guns everywhere, for everyone, not just here in the United States, but around the world.

I like many citizens believe that the result of this new rule means that it will become easier for firearms traffickers, organized crime, terrorist organizations, and other violent and dangerous agents to obtain large caches of American guns and ammunition. Firearms exports SHOULD CONTINUE TO BE classified as military so they are under the regulation of the State Department. As it stands, Congress can block sales of large batches of firearms to foreign countries and this is an important thing for the security of this country. I would not trust this President to make a good decision on this. He is too bought and paid for by the NRA and the arms manufacturers.

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 12:41 PM
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<b>Posted:</b> July 12, 2018
<b>Tracking No.</b> 1k2-942n-rddt
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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0380

Public Comment 155. Individual. Darwin Busa. 7-3-18

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## Submitter Information

**Name:** Darwin Busa

**Address:**

6705 S INDIAN RIVER DR  
FORT PIERCE, FL, 34982-7710

**Email:** darbusa@gmail.com

**Phone:** 7723186666

**Fax:** 34982-7710

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## General Comment

It makes no sense for Commerce to assume regulation of military useful weapons from State Dept. Commerce has neither the staff nor the expertise to handle this important duty. I am totally opposed to this industry sponsored proposal.

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 12:42 PM
<b>Received:</b> July 03, 2018
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<b>Posted:</b> July 12, 2018
<b>Tracking No.</b> 1k2-942n-x4ci
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0381

Public Comment 156. Individual. CJ Horner. 7-3-18

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## Submitter Information

**Name:** CJ Horner

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## General Comment

I oppose this rule change that would switch the regulations of firearms export from the U.S. State Department to the U.S. Commerce Department.

WHAT THE HECK IS HAPPENING TO THIS COUNTRY????!????!!!!?????????

Please, in the name of all that's holy, DO NOT DESTROY the carefully constructed structure that has been put in place to create protection for not only citizens of the USA, but for the world at large.

I beg this of you. I feel hope starting to die in me. Please re-instill my ability to hope for a better America and a better world.



# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 12:43 PM
<b>Received:</b> July 03, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 12, 2018
<b>Tracking No.</b> 1k2-942n-v2ly
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0382

Public Comment 157. Individual. Jonathan Holland. 7-3-18

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## Submitter Information

**Name:** Jonathan Holland

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## General Comment

I believe this change is a poor move for America and I oppose it. Thank you for your consideration.

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 12:44 PM
<b>Received:</b> July 03, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 12, 2018
<b>Tracking No.</b> 1k2-942n-gz2p
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0383

Public Comment 158. Individual. Stuart Rubinow. 7-3-18

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## Submitter Information

**Name:** Stuart Rubinow

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## General Comment

I oppose the proposed rule change that would switch the regulation of firearms export from the U.S. State Department to the U.S. Commerce Department. But these two departments have very different mandates: State to safeguard our nation, and Commerce to promote American businesses. Assault weapons should not be seen as just another product to be promoted, bought, and sold like washing machines or any other consumer product. This transfer of authority would open new floodgates for arms sales internationally, with serious implications for our national security.

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 12:45 PM
<b>Received:</b> July 03, 2018
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<b>Posted:</b> July 12, 2018
<b>Tracking No.</b> 1k2-942o-bk8z
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0384

Public Comment 159. Individual. Marguerite Ritchie. 7-3-18

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## Submitter Information

**Name:** Marguerite Ritchie

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## General Comment

I oppose the change in rules in the regulation of exporting firearms from the U.S. State Dept. to the Dept. of Commerce. This would not allow Congress to be notified and block any shipment of large caches of firearms to be exported to foreign countries thus enabling dangerous entities such as terrorist groups, organized crime and traffickers to prevail and is matter of national security.

The U.S. Dept. Of Commerce is ill equipped as it lacks the resources and field offices to take on such an endeavor of regulating large export of firearms from so many possible locations.

I feel it would be a mistake to change the current rules and accountability.

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 12:47 PM
<b>Received:</b> July 03, 2018
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<b>Posted:</b> July 12, 2018
<b>Tracking No.</b> 1k2-942o-to41
<b>Comments Due:</b> July 09, 2018
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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0385

Public Comment 160. Individual. Christine Armstrong. 7-3-18

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## Submitter Information

**Name:** Christine Armstrong

**Address:**

9 Gunn Hill Road  
New Preston, 06777

**Email:** charms345@mac.com

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## General Comment

I am an American who travels to Mexico often. It is extremely difficult there for citizens to legally buy guns. They do not have mass shootings there, but there is a horrendous amount of violence perpetrated in Mexico by criminals who obtain American-made guns. This makes maintaining order extremely difficult for that countrys law enforcement - a problem which has direct ramifications on the US. Do not make it easier for American gun manufacturers to profit off of violence around the world and here in our beautiful U.S. of A.

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 12:48 PM
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<b>Status:</b> Posted
<b>Posted:</b> July 12, 2018
<b>Tracking No.</b> 1k2-942p-mdft
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0386

Public Comment 161. Anonymous. 7-3-18

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## Submitter Information

**Name:** Anonymous Anonymous

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## General Comment

I oppose this rule; it will make the nation less safe.

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 12:49 PM
<b>Received:</b> July 03, 2018
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<b>Posted:</b> July 12, 2018
<b>Tracking No.</b> 1k2-942p-10qp
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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0387

Public Comment 162. Individual. Ted Neumann. 7-3-18

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## Submitter Information

**Name:** Ted Neumann

**Address:**

114 Lark St

Altamont, NY, 12009

**Email:** wineshopted@yahoo.com

**Phone:** 5188617148

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## General Comment

We must pass laws that at least make an attempt to stem the heinous gun violence that is happening in our land.

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 12:58 PM
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<b>Posted:</b> July 12, 2018
<b>Tracking No.</b> 1k2-942p-sp4h
<b>Comments Due:</b> July 09, 2018
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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0388

Public Comment 163. Individual. Linda Bronstein. 7-3-18

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## Submitter Information

**Name:** Linda Bronstein

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## General Comment

I oppose this rule change that would switch the regulation of firearms export from the U.S. State Department to the U.S.

Commerce Department. The rule change would facilitate firearms exports to oppressive regimes, remove safeguards that help

keep organized crime and terrorist organizations from obtaining weapons, and further fuel violence that destabilizes countries

and causes mass migration. Firearms are used to kill people every day around the world in acts of organized crime,

political violence, terrorism, and human rights violations. They should be subject to more controls, not less!

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 12:59 PM
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<b>Status:</b> Posted
<b>Posted:</b> July 12, 2018
<b>Tracking No.</b> 1k2-942p-y9u5
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0389

Public Comment 164. Individual. Steve Graff. 7-3-18

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## Submitter Information

**Name:** Steve Graff

**Address:**

1948 Malcolm Ave

Los Angeles, CA, 90025

**Email:** stevegraff12@hotmail.com

**Phone:** 111111111

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## General Comment

This control is still warranted. This is a gave away for weapon manufacturers.



# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 1:00 PM
<b>Received:</b> July 03, 2018
<b>Status:</b> Posted
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<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0390

Public Comment 165. Individual. Steve Hoelke. 7-3-18

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## Submitter Information

**Name:** Steve Hoelke

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## General Comment

This is a BAD idea!

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 1:01 PM
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<b>Posted:</b> July 12, 2018
<b>Tracking No.</b> 1k2-942p-oom4
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0391

Public Comment 166. Individual. Joan Balfour. 7-3-18

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## Submitter Information

**Name:** Joan Balfour

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## General Comment

A rule change that would move the handling of export licenses of semiautomatic assault weapons and other powerful firearms from the U.S. State Department (focused on safeguarding our nation) to the U.S. Commerce Department (focused on promoting American business) would open new floodgates for arms sales internationally, with serious implications for our national security.

I oppose this rule change that would switch the regulations of firearms export from the U.S. State Department to the U.S. Commerce Department.

With the rule change, Congress would no longer be automatically informed about sizable weapons sales that it could stop in the name of national security, even to countries where there are serious human rights concerns, such as the Philippines and Turkey.

Meanwhile, the Commerce Department just does not have the resources to adequately enforce export controls. Its Bureau of Industry and Security does not have staff everywhere. This means that firearms traffickers, organized crime, terrorist organizations, and other violent and dangerous agents would face far fewer hurdles to obtaining large caches of American guns and ammunition.

The bottom line is that switching the regulation of firearms exports from the State Department to the Commerce Department would facilitate firearms exports to oppressive regimes, remove safeguards that help keep extra-legal agents like organized crime and terrorist organizations from obtaining weapons, and further fuel violence that destabilizes countries and causes mass migration.

Firearms are dangerous. They are used to kill people every day around the world in acts of organized crime, political violence, terrorism, and human rights violations. They should be subject to more controls, not less!

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 1:02 PM
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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0392

Public Comment 167. Individual. Kyrie Collins. 7-3-18

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## Submitter Information

**Name:** Kyrie Collins

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## General Comment

I vehemently oppose this rule change that would switch the regulations of firearms export from the U.S. State Department to the U.S. Commerce Department. The Commerce Department just does not have the resources to adequately enforce export controls. Firearms traffickers, organized crime, terrorist organizations, and other violent and dangerous agents would face far fewer hurdles to obtaining large caches of American guns and ammunition. This transfer of authority would open new floodgates for arms sales internationally, with serious implications for our national security. It can not be permitted!

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 1:03 PM
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<b>Tracking No.</b> 1k2-942p-cwqd
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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0393

Public Comment 168. Individual. Scott Coahran. 7-3-18

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## Submitter Information

**Name:** Scott Coahran

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## General Comment

With the unending series of wanton, violent acts that are committed, it seems, on at least a monthly basis, the last thing we need is something that will expedite the purchase and ownership of guns for the sake of commercial profit

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 1:04 PM
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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0394

Public Comment 169. Individual. David Morris. 7-3-18

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## Submitter Information

**Name:** David Morris

**Address:**

385 61st Street  
Oakland, CA, 94618

**Email:** mahlisdorf@earthlink.net

**Phone:** 5106583382

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## General Comment

Changing firearms regulation and classification as proposed in this rule would be the height of madness. It is a blatant attempt by the NRA and gun manufacturers to pull a runaround maneuver. Under no circumstances should firearms be reclassified: Their sale and export should remain the purvey of the US Government and Congress. Doing anything else would open a floodgate of arms shipments to all kinds of dangerous forces outside the US. Please, please do not consider even the possibility of changing the current ruling.

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 1:05 PM
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<b>Posted:</b> July 12, 2018
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<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0395

Public Comment 170. Individual. Marci Diamond. 7-3-18

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## Submitter Information

**Name:** Marci Diamond

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## General Comment

I strongly oppose the rule change that would switch the regulations of firearms export from the U.S. State Department to the U.S. Commerce Department. Control of the export of firearms that could fall into the hands of those who would harm Americans is a national security issue.

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 1:10 PM
<b>Received:</b> July 03, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 12, 2018
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<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0396

Public Comment 171. Individual. Barb Crumpacker. 7-3-18

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## Submitter Information

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Coeur d'Alene, 83814

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## General Comment

Gun limits provide increased safety & peace of mind for the citizens of the world.

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 1:11 PM
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<b>Posted:</b> July 12, 2018
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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0397

Public Comment 172. Individual. Ann Rushton. 7-3-1

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## Submitter Information

**Name:** Ann Rushton

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Sherman Oaks, 91423

**Email:** annrushton@hotmail.com

**Phone:** 8187891395

**Fax:** 91423

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## General Comment

Permits for sales of arms overseas should be based on sound American policy putting safety of Americans and American interests first and above all. A permitting process based on what is most profitable to gun manufacturers must be firmly rejected. They are responsible for too many deaths already. We should not be arming those around the world who will do even more harm.

A transfer of this process from the Dept of State to the Dept of Commerce for the financial benefit of manufacturers of weapons is completely contrary to legitimate American policy and interests.



# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 1:12 PM
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<b>Posted:</b> July 12, 2018
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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0398

Public Comment 173. Individual. Edith Simpson. 7-3-18

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## Submitter Information

**Name:** Edith Simpson

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## General Comment

I am against moving regulation of exports of firearms from the State Department to the Commerce Department.

With the rule change, Congress would no longer be automatically informed about sizable weapons sales that it could stop in the name of national security, even to countries where there are serious human rights concerns, such as the Philippines and Turkey.

Meanwhile, the Commerce Department just does not have the resources to adequately enforce export controls. This means that firearms traffickers, organized crime, terrorist organizations, and other violent and dangerous agents would face far fewer hurdles to obtaining large caches of American guns and ammunition.

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 1:12 PM
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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0399

Public Comment 174. Individual. Cheryl Herrick. 7-3-18

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## Submitter Information

**Name:** Cheryl Herrick

**Address:**

28 East Village Dr.

Burlington, 05401

**Email:** herrickvt@gmail.com

**Phone:** 8025570228

**Fax:** 05401

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## General Comment

I strongly oppose this rule change that would switch the regulations of firearms export from the U.S. State Department to the U.S. Commerce Department. The US should be finding ways to be a better neighbor and citizen in the world, not merely export violence in pursuit of profits.

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 1:13 PM
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<b>Posted:</b> July 12, 2018
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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0400

Public Comment 175. Individual. Marjean Doden. 7-3-18

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## Submitter Information

**Name:** Marjean Doden

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Chicago, IL, 60634

**Email:** mdoden@rocketmail.com

**Phone:** 7086517318

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## General Comment

We have no business encouraging the sale of these weapons!!! The violence in our country does not need to be spread to the rest of the world!!!

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 1:14 PM
<b>Received:</b> July 03, 2018
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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0401

Public Comment 176. Individual. Richard Sparkes. 7-3-18

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## Submitter Information

**Name:** Richard Sparkes

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Grand Blanc, MI, 48439

**Email:** r.sparkes@att.net

**Phone:** 810-606-1571

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## General Comment

I completely oppose any rule changes that would transfer the regulations of firearms export from the U.S. State Department to the U.S. Commerce Department. American firearm manufacturers cause enough bloodshed and violence here at home. There is no reason this mayhem should be easier to export to peaceful, civilized and non-violent nations. Thank you very much.

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 1:15 PM
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<b>Posted:</b> July 12, 2018
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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0402

Public Comment 177. Individual. Susan Heath. 7-3-18

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## Submitter Information

**Name:** Susan Heath

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## General Comment

I oppose the rule change that would switch the regulating of firearms exports from the State Department to the Commerce Department. The State Department is much better suited for this matter and has been doing so for years. The world is dangerous enough without making this switch.

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 1:16 PM
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<b>Tracking No.</b> 1k2-942p-9giw
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0403

Public Comment 178. Individual. Michael Kemper. 7-3-18

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## Submitter Information

**Name:** Michael Kemper

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San Francisco, 94109

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**Phone:** 4157765657

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## General Comment

The Unites States has a gun problem. Anyone who doesn't think so has been in a dark room for most of her life. The United States has the highest percent of gun ownership, the highest number of guns, extremely high rates of murder and gun related crime compared with most of the world. The United States government must take measures to address this problem. Making it easier to obtain a gun is not an answer, it is an abdication of responsibility to its citizens.

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 1:17 PM
<b>Received:</b> July 03, 2018
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<b>Posted:</b> July 12, 2018
<b>Tracking No.</b> 1k2-942p-6dpk
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0404

Public Comment 179. Individual. Laurie Gates. 7-3-18

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## Submitter Information

**Name:** Laurie Gates

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## General Comment

I oppose switching the regulation of firearms from the State Department to the Commerce Department. This action would make it easier for organized crime and terrorist organizations to purchase weapons and further fuel violence in oppressive regimes.

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 1:18 PM
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<b>Status:</b> Posted
<b>Posted:</b> July 12, 2018
<b>Tracking No.</b> 1k2-942p-6jd1
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0405

Public Comment 180. Anonymous. 7-3-18

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## Submitter Information

**Name:** Anonymous Anonymous

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## General Comment

Seeing as terrorist groups and other organizations accused of serious human rights violations have been able to make excellent use of non-automatic and semi-automatic low-caliber weapons, those sorts of firearms should remain on the USML. I strongly oppose the proposed rule change



# PUBLIC SUBMISSION

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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0406

Public Comment 181. Individual. Toniann Reading. 7-3-18

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## Submitter Information

**Name:** Toniann Reading

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**Email:** toni.reading@gmail.com

**Phone:** 2222222222

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## General Comment

I adamantly oppose this proposed rule change!

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 1:20 PM
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<b>Posted:</b> July 12, 2018
<b>Tracking No.</b> 1k2-942p-dw2f
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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0407

Public Comment 182. Individual. Tisa Anders. 7-3-18

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## Submitter Information

**Name:** Tisa Anders

**Address:**

12187 W Mexico Place

Lakewood, CO, 80228

**Email:** tianders2003@yahoo.com

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## General Comment

I oppose this rule change that would switch the regulations of firearms export from the U.S. State Department to the U.S. Commerce Department. We need the State Department to continue with safety on this matter, not profits. In other words, let's continue to value and cherish people.

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 1:21 PM
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<b>Posted:</b> July 12, 2018
<b>Tracking No.</b> 1k2-942p-wdn5
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0408

Public Comment 183. Individual. Linda Garcia. 7-3-18

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## Submitter Information

**Name:** Linda Garcia

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## General Comment

I oppose this proposed change of rules switching the authority from the State Department to the Commerce Department for the regulating of the export of guns sells and Licensing. This appears to be a dangerous proposal as there would likely be limited oversight in the Commerce Department as opposed to the State Department. I have not seen any rationale for this dangerous proposal.

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 1:22 PM
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<b>Posted:</b> July 12, 2018
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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0409

Public Comment 184. Individual. Jun Whang. 7-3-18

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## Submitter Information

**Name:** Jun Whang

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## General Comment

We strongly oppose this change since it creates a serious risk to our national security by facilitating the export and sale of dangerous firearms to foreign agents.

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 1:23 PM
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<b>Tracking No.</b> 1k2-942p-38th
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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0410

Public Comment 185. Individual. Barbara Van Walsen. 7-3-18

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## Submitter Information

**Name:** Barbara Van Walsen

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## General Comment

With our issues with gun control, we should not allow foreign countries to receive any firearms, guns, and ammunition. I don't want a foreign country to use American military weapons to conduct a war with us.

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 1:29 PM
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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0411

Public Comment 186. Individual. Charles Wright. 7-3-18

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## Submitter Information

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**Phone:** 7346577470

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## General Comment

I think millions of Americans want guns to stay in video games, such as: Grand Theft Auto - Vice City. We COULD HAVE prevented the shooting at Sandy Hook, but Congress refused to act.

Why should a parent have to cope with having to lay his son or daughter to rest with the lord? Same can go if the deceased was a friend to his or her peers

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 1:30 PM
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<b>Tracking No.</b> 1k2-942p-9xxe
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0412

Public Comment 187. Individual. Leanne Yerby. 7-3-18

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## Submitter Information

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**Phone:** 9495531313

**Fax:** 92614

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## General Comment

With the rule change, Congress would no longer be automatically informed about sizable weapons sales that it could stop in the name of national security, even to countries where there are serious human rights concerns, such as the Philippines and Turkey. This means that firearms traffickers, organized crime, terrorist organizations, and other violent and dangerous agents would face far fewer hurdles to obtaining large caches of American guns and ammunition. The bottom line is that switching the regulation of firearms exports from the State Department to the Commerce Department would facilitate firearms exports to oppressive regimes, remove safeguards that help keep extra-legal agents like organized crime and terrorist organizations from obtaining weapons, and further fuel violence that destabilizes countries and causes mass migration. That is why I oppose this rule change that would switch the regulations of firearms export from the U.S. State Department to the U.S. Commerce Department.

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 1:31 PM
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<b>Tracking No.</b> 1k2-942p-xz0z
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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0413

Public Comment 188. Anonymous. 7-3-18

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## Submitter Information

**Name:** Anonymous Anonymous

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## General Comment

It seems amazing to me that a president who claims to be creating new immigration barriers under the guise of national security will allow an easier way for fire arms to be sold to foreign buyers. This seems like a move that would make our borders less secure and our nation less secure as well as those around the world than the many innocent families seeking asylum whom are turning away from our borders and imprisoning. This proposed rule is a bad decision for other reasons as well:

- It would eliminate the State Departments Blue Lantern program, in place since 1940, which carries out hundreds of pre-license and post-shipment inspections and publicly reports on them.[5]
- It would remove licensing requirements for brokers, increasing the risk of trafficking.[6]
- It would remove the State Departments block on the 3D printing of firearms. When Defense Distributed founder Cody Wilson posted online instructions for how to 3D print weapons, the State Department successfully charged him with violating arms export laws, since his open-source posting made it possible for anyone with access to a 3D printer, anywhere, to produce a lethal weapon. The rule switch would remove this block, effectively enabling 3D printing of firearms in the U.S. and around the globe.[7]



# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 1:32 PM
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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0414

Public Comment 189. Individual. Perry Levin. 7-3-18

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## Submitter Information

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**Email:** p.s.levin@att.net

**Phone:** 3017700434

**Organization:** PSL

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## General Comment

There are more than enough guns circulating in the population. We do not need more guns; we need more restrictions.

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 1:33 PM
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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0415

Public Comment 190. Individual. GEORGIA MORGAN. 7-3-18

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## Submitter Information

**Name:** GEORGIA MORGAN

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## General Comment

I oppose this rule change. Switching the regulations on firearms exports from the U.S. State Department to the U.S. Commerce Department puts people all over the world at risk, for the benefit of a few gun manufacturers, because the Commerce Department just does not have the resources to adequately enforce export controls. Its Bureau of Industry and Security does not have staff everywhere. This means that firearms traffickers, organized crime, terrorist organizations, and other violent and dangerous agents would face far fewer hurdles to obtaining large caches of American guns and ammunition.

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 1:37 PM
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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0416

Public Comment 191. Individual. Janiece Staton. 7-3-18

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## Submitter Information

**Name:** Janiece Staton

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## General Comment

I oppose this rule change that would switch the regulations of firearms export from the U.S. State Department to the U.S. Commerce Department. Firearms are dangerous. They are used to kill people every day around the world in acts of organized crime, political violence, terrorism, and human rights violations. They should be subject to more controls, not less!

The Commerce Department has inadequate staff to be monitoring the flow of firearms into and out of the USA. Thus, dangerous players on the domestic and foreign fronts would have far greater access to the destructive devices they seek. In addition, the shift would eliminate the State Departments Blue Lantern program, that has been in place since 1940, which carries out hundreds of pre-license and post-shipment inspections and publicly reports on them.

Furthermore, it would remove licensing requirements for brokers, increasing the risk of trafficking. Finally, it would remove the State Departments block on the 3D printing of firearms. When Defense Distributed founder Cody Wilson posted online instructions for how to 3D print weapons, the State Department successfully charged him with violating arms export laws, since his open-source posting made it possible for anyone with access to a 3D printer, anywhere, to produce a lethal weapon. The rule switch would remove this block, effectively enabling 3D printing of firearms in the U.S. and around the globe.

With the rule change, Congress would no longer be automatically informed about sizable weapons sales that it could stop in the name of national security, even to countries where there are serious human rights concerns, such as the Philippines and Turkey. My Congress members must have direct knowledge and formal input regarding the flow of arms that leave USA soil. The security of my family, neighborhood, nation, and planet depend upon thoughtful, responsible, ethical oversight and monitoring of all weapons of war and extortion. I do not trust military-industrial complex corporations nor the Commerce Department to be effective or reliable in this regard.



# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 1:39 PM
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<b>Tracking No.</b> 1k2-942p-s2cc
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0417

Public Comment 192. Individual. Faith Parker. 7-3-18

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## Submitter Information

**Name:** Faith Parker

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## General Comment

oppose this rule change that would switch the regulations of firearms export from the U.S. State Department to the U.S. Commerce Department. This would seriously jeopardize national security as well as the security of other free democracies. It would be a decision in favor of big business interest rather than a decision in the interests of safety and security

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 1:40 PM
<b>Received:</b> July 03, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 12, 2018
<b>Tracking No.</b> 1k2-942p-7stw
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0418

Public Comment 193. Individual. Robin Morgan. 7-3-18

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## Submitter Information

**Name:** Robin Morgan

**Address:**

75 Maple St

Brattleboro, VT, 05301

**Email:** robinlmorgan@gmail.com

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## General Comment

I strongly oppose this rule change. The Department of commerce is not equipped to effectively oversee firearms sales overseas and this change either make it much easier for terrorists and criminals overseas to acquire large stockpiles of weapons. Additionally it would eliminate the legal prohibition of 3D printing firearms, resulting in untraceable and unregistered weapons here in the US, hobbling law enforcement.

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 1:41 PM
<b>Received:</b> July 03, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 12, 2018
<b>Tracking No.</b> 1k2-942p-zg7o
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0419

Public Comment 194. Individual. Priscilla Skerry. 7-3-18

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## Submitter Information

**Name:** Priscilla Skerry

**Address:**

Portland, ME, 04102-3781

**Email:** drskerry@myfairpoint.net

**Phone:** 2077808063

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## General Comment

The NRA and gun manufacturers want guns everywhere, for everyone, not just here in the United States, but around the world. They are pushing hard for a rule change that would move the handling of export licenses of semiautomatic assault weapons and other powerful firearms from the U.S. State Department (focused on safeguarding our nation) to the U.S. Commerce Department (focused on promoting American business).[1] This transfer of authority would open new floodgates for arms sales internationally, with serious implications for our national security

Right now, firearms exports are classified as military. This is why they are under the regulation of the State Department, and why Congress can block sales of large batches of firearms to foreign countries.[2] With the rule change, Congress would no longer be automatically informed about sizable weapons sales that it could stop in the name of national security, even to countries where there are serious human rights concerns, such as the Philippines and Turkey.[3]

Meanwhile, the Commerce Department just does not have the resources to adequately enforce export controls. Its Bureau of Industry and Security does not have staff everywhere. This means that firearms traffickers, organized crime, terrorist organizations, and other violent and dangerous agents would face far fewer hurdles to obtaining large caches of American guns and ammunition.

I am very concerned about this tactic by the NRA. It must be stopped...for the safety of our Nation and all of the world's citizens. I expect responsible action be taken to prevent the NRA from getting away with this. Thank you.

Priscilla Skerry  
Portland, Maine 04102



# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 1:41 PM
<b>Received:</b> July 03, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 12, 2018
<b>Tracking No.</b> 1k2-942p-frh2
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0420

Public Comment 195. Individual. Rev. Allan B. Jones. 7-3-18

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## Submitter Information

**Name:** Rev. Allan B. Jones

**Address:**

722 Orchard Street #2  
Santa Rosa, CA, 95404

**Email:** revabjones@att.net

**Phone:** 0000000000

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## General Comment

I strongly oppose the rule change that would switch the regulations of firearms export from the U.S. State Department to the U.S. Commerce Department. It appears to be a poorly disguised effort to increase arms sales around the world, and lead to more unnecessary deaths and other suffering. Thank you.

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 1:42 PM
<b>Received:</b> July 03, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 12, 2018
<b>Tracking No.</b> 1k2-942p-mkbf
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0421

Public Comment 196. Anonymous. 7-3-18

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## Submitter Information

**Name:** anonymous anonymous

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## General Comment

Americans, as well as citizens of the world are depending on you to put our safety above profit.

I am writing to strongly urge you to not change the regulation of firearms exports from the State Department to the Commerce Department. It would facilitate firearms exports to unstable, oppressive regimes, remove safeguards that help keep extra-legal agents like organized crime and terrorist organizations from obtaining weapons, and further fuel violence that destabilizes countries and causes mass migration.

We seriously need you to stand up to profiteering pressure and NOT ALLOW an increase of guns to be released into an already unstable arena. It would not be the responsible thing to do. Our families deserve to live with greater security than this would encourage. Thank you.

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 1:43 PM
<b>Received:</b> July 03, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 12, 2018
<b>Tracking No.</b> 1k2-942p-vfhj
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0422

Public Comment 197. Individual. Kathryn Kram. 7-3-18

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## Submitter Information

**Name:** Kathryn Kram

**Address:**

4216 Fairfax Dr.

Columbus, OH, 43220

**Email:** katykram@gmail.com

**Phone:** 6144512279

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## General Comment

I oppose the transfer of regulations that control the sale of firearms from the Department of State to the Department of Commerce. This is not in keeping with national security and might allow arm sales to regimes that are dangerous.

I urge you to continue to classify firearms as "military" . To have them controlled simply as goods for sale is dangerous.

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 1:44 PM
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<b>Status:</b> Posted
<b>Posted:</b> July 12, 2018
<b>Tracking No.</b> 1k2-942p-27fp
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0423

Public Comment 198. Individual. Michael Beeston. 7-3-18

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## Submitter Information

**Name:** Michael Beeston

**Address:**

155 OAK MEADOW RD

MOORESVILLE, 28115

**Email:** mbeeston@mac.com

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## General Comment

I oppose this rule change that would switch the regulations of firearms export from the U.S. State Department to the U.S. Commerce Department. I strongly oppose this rule change.

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 1:45 PM
<b>Received:</b> July 03, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 12, 2018
<b>Tracking No.</b> 1k2-942p-c5wu
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0424

Public Comment 199. Individual. Morgan Clark. 7-3-18

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## Submitter Information

**Name:** Morgan Clark

**Address:**

SOUTH ORANGE, NJ, 07079

**Email:** morgan.cl@gmail.com

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## General Comment

I object to this proposal and demand that weapons exports continue to be treated as military armaments. The proposal would eliminate the State Departments Blue Lantern program, in place since 1940, which carries out hundreds of pre-license and post-shipment inspections and publicly reports on them, would remove licensing requirements for brokers, increasing the risk of trafficking, and would remove the State Departments block on the 3D printing of firearms. I demand this proposal be rejected.

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 1:46 PM
<b>Received:</b> July 03, 2018
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<b>Posted:</b> July 12, 2018
<b>Tracking No.</b> 1k2-942p-mld6
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0425

Public Comment 200. Individual. Rev. Alison Hyder. 7-3-18

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## Submitter Information

**Name:** Rev. Alison Hyder

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## General Comment

I do not believe that your department is the best agency to monitor the destination of all dangerous arms. Please do not allow this responsibility to be added to all that you currently manage. I cannot imagine that this would enhance national security.

Thank you.

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 1:47 PM
<b>Received:</b> July 03, 2018
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<b>Posted:</b> July 12, 2018
<b>Tracking No.</b> 1k2-942p-rki5
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0426

Public Comment 201. Anonymous. 7-3-18

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## Submitter Information

**Name:** Anonymous Anonymous

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## General Comment

Corporate greed at its worst. The NRA and gun manufacturers are fine with making this already dangerous world more dangerous. Charming. If this broken government goes along with this, it will make clear that human lives are nothing. Money is far more important than any human beings.

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 1:48 PM
<b>Received:</b> July 03, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 12, 2018
<b>Tracking No.</b> 1k2-942p-j601
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0427

Public Comment 202. Anonymous. 7-3-18

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## Submitter Information

**Name:** Anonymous Anonymous

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## General Comment

I oppose gun sales being made thru the commerce dept.



# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 1:49 PM
<b>Received:</b> July 03, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 12, 2018
<b>Tracking No.</b> 1k2-942p-q83h
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0428

Public Comment 203. Individual. Alice Pfister. 7-3-18

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## Submitter Information

**Name:** Alice Pfister

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## General Comment

I oppose the rule change that would switch the regulations of firearms export from the U.S. State Department to the U.S. Commerce Department. Switching the regulation of firearms exports from the State Department to the Commerce Department would facilitate firearms exports to oppressive regimes, remove safeguards that help keep extra-legal agents like organized crime and terrorist organizations from obtaining weapons, and further fuel violence that destabilizes countries and causes mass migration.

I respectfully request that you do not allow this change to take place. Thank you.

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 1:50 PM
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<b>Posted:</b> July 12, 2018
<b>Tracking No.</b> 1k2-942p-jeth
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0429

Public Comment 204. Individual. nick burns. 7-3-18

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## Submitter Information

**Name:** nick burns

**Address:**

PARK CITY, UT, 84098

**Email:** nick@vanburns.com

**Phone:** 8019573097

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## General Comment

I do not support the rule change to switch the regulations of firearms export from the U.S. State Department to the U.S. Commerce Department.

This is bad policy, which would increase gun trafficking, and eliminate appropriate Congressional oversight.

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 1:50 PM
<b>Received:</b> July 03, 2018
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<b>Posted:</b> July 12, 2018
<b>Tracking No.</b> 1k2-942p-q4lr
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0430

Public Comment 205. Individual. Emily Miller. 7-3-18

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## Submitter Information

**Name:** Emily Miller

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## General Comment

The United States should not make it easier to export guns!

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 1:51 PM
<b>Received:</b> July 03, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 12, 2018
<b>Tracking No.</b> 1k2-942p-uadr
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0431

Public Comment 206. Individual. Kacie Shelton. 7-3-18

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## Submitter Information

**Name:** Kacie Shelton

**Address:**

Pasadena, CA, 91101

**Email:** kacie@ofb.net

**Phone:** 6263725709

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## General Comment

Please do not enact the proposed rule; firearms should continue to be controlled under the USML.

We are now seeing what is only the start of mass migration from countries where arms have flooded into the hands of criminal organizations, paramilitary organizations, and drug gangs. If we can't welcome those fleeing increased violence with open arms in the United States, we should not make it even easier for bad elements to get more guns, and thus increasing the flood of asylum seekers. This would be self-defeating on many other fronts, before discussing the already atrocious handling of immigrants by ICE.

Please do not enact the proposed rule. Thank you.

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 1:52 PM
<b>Received:</b> July 03, 2018
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<b>Posted:</b> July 12, 2018
<b>Tracking No.</b> 1k2-942p-k156
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0432

Public Comment 207. Individual. john north. 7-3-18

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## Submitter Information

**Name:** john north

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## General Comment

I absolutely oppose any rule change that switches the regulations of firearms export from the U.S. State Department to the U.S. Commerce Department.

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 1:53 PM
<b>Received:</b> July 03, 2018
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<b>Posted:</b> July 12, 2018
<b>Tracking No.</b> 1k2-942p-xk23
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0433

Public Comment 208. Individual. Wayne Wunderlin. 7-3-18

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## Submitter Information

**Name:** Wayne Wunderlin

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## General Comment

I OPPOSE THIS RULE CHANGE THAT WOULD SWITCH THE REGULATIONS OF FIREARMS EXPORT FROM THE U S STATE DEPT. TO THE U S COMMERCE DEPT. THIS WOULD BE MUCH MORE DANGEROUS FOR PEOPLE EVERYWHERE !!!!!

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 1:54 PM
<b>Received:</b> July 03, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 12, 2018
<b>Tracking No.</b> 1k2-942p-7ci7
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0434

Public Comment 209. Individual. Glenn Williams. 7-3-18

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## Submitter Information

**Name:** Glenn Williams

**Address:**

16 Park Place  
Brooklyn, 11217

**Email:** gloonie@gmail.com

**Phone:** 3473834687

**Fax:** 11217

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## General Comment

This proposed rule is rubbish. Right now, firearms exports are classified as military. This is why they are under the regulation of the State Department, and why Congress can block sales of large batches of firearms to foreign countries. With the rule change, Congress would no longer be automatically informed about sizable weapons sales that it could stop in the name of national security, even to countries where there are serious human rights concerns, such as the Philippines and Turkey.

I strongly oppose implementation of this rule, which is wrong on the face of it, and will place export controls in the hands of an agency that lacks the necessary resources.

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 1:54 PM
<b>Received:</b> July 03, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 12, 2018
<b>Tracking No.</b> 1k2-942p-dsau
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0435

Public Comment 200. Individual. C. Flannery. 7-3-18

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## Submitter Information

**Name:** C. Flannery

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## General Comment

I oppose this rule change that would switch the regulations of firearms export from the U.S. State Department to the U.S. Commerce Department. It is VERY important that the state department be fully aware of the sale of large quantities of firearms. There should also be a limit on how many firearms are sold each year. The world needs less guns not more!!! The guns that are made should only be in the hands of people with extensive training.



# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 2:49 PM
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<b>Status:</b> Posted
<b>Posted:</b> July 12, 2018
<b>Tracking No.</b> 1k2-942p-y6hp
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0436

CoPublic Comment 211. Individual. Hope Mays. 7-3-18

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## Submitter Information

**Name:** Hope Mays

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## General Comment

I oppose this rule change that would switch the regulations of firearms export from the U.S. State Department to the U.S. Commerce Department. Selling arms abroad has not worked out so well in the past.

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 2:52 PM
<b>Received:</b> July 03, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 12, 2018
<b>Tracking No.</b> 1k2-942p-a64e
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0437

Public Comment 212. Anonymous. 7-3-18

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## Submitter Information

**Name:** Anonymous Anonymous

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## General Comment

I am writing to express my opposition of switching the regulation of firearms exports from the State Department to the Commerce Department. This change would facilitate firearms exports to oppressive regimes, remove safeguards that help keep extra-legal agents like organized crime and terrorist organizations from obtaining weapons, and further fuel violence that destabilizes countries and causes mass migration. I believe we currently have too few regulations over firearms in our country and in our international relations, and do not feel like this is the correct direction to take our arms regulation.

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 2:53 PM
<b>Received:</b> July 03, 2018
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<b>Posted:</b> July 12, 2018
<b>Tracking No.</b> 1k2-942p-wyrc
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0438

Public Comment 213. Individual. karen toscos. 7-3-18

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## Submitter Information

**Name:** karen toscos

**Address:**

fort wayne, IN, 46845

**Email:** k.toscoss@att.net

**Phone:** 6505551212

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## General Comment

I oppose this rule change that would switch the regulations of firearms export from the U.S. State Department to the U.S. Commerce Department. You are supposed to safeguard the nation against gun violence, instead you are promoting it in a backhanded way. Shame on all of you.

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 2:54 PM
<b>Received:</b> July 03, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 12, 2018
<b>Tracking No.</b> 1k2-942p-6405
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0439

Public Comment 214. Individual. Margaret Silvers. 7-3-18

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## Submitter Information

**Name:** Margaret Silvers

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## General Comment

I strongly oppose the change in regulation that would mean Congress would no longer be automatically informed about sizable weapons sales that it could stop in the name of national security, even to countries where there are serious human rights concerns, such as the Philippines and Turkey. The Commerce Department just does not have the resources to adequately enforce export controls. Its Bureau of Industry and Security does not have staff everywhere. This means that firearms traffickers, organized crime, terrorist organizations, and other violent and dangerous agents would face far fewer hurdles to obtaining large caches of American guns and ammunition.

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 2:55 PM
<b>Received:</b> July 03, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 12, 2018
<b>Tracking No.</b> 1k2-942p-wiix
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0440

Public Comment 215. Individual. Julie Blum. 7-3-18

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## Submitter Information

**Name:** Julie Blum

**Address:**

Liberty Lake, WA, 99019

**Email:** julesflwr@yahoo.com

**Fax:** 99019

---

## General Comment

I oppose this rule change. Firearms exports should continue to be classified as military.

Right now, firearms exports are classified as military. This is why they are under the regulation of the State Department, and why Congress can block sales of large batches of firearms to foreign countries.[2] With the rule change, Congress would no longer be automatically informed about sizable weapons sales that it could stop in the name of national security, even to countries where there are serious human rights concerns, such as the Philippines and Turkey.[3]

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 2:56 PM
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<b>Status:</b> Posted
<b>Posted:</b> July 12, 2018
<b>Tracking No.</b> 1k2-942p-iukl
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0441

Public Comment 216. Individual. Donald Dilg. 7-3-18

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## Submitter Information

**Name:** Donald Dilg

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## General Comment

I would strongly oppose any rule change that would make the selling of firearms, especially to foreign nations, or agents of foreign powers, easier to transact or subject to less oversight and control than is currently required.

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 2:56 PM
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<b>Posted:</b> July 12, 2018
<b>Tracking No.</b> 1k2-942p-4kc5
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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0442

Public Comment 217. Individual. Alix Keast. 7-3-18

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## Submitter Information

**Name:** Alix Keast

**Address:**

214 Riverside Drive  
New York, NY, 10025

**Email:** Aixk3@gmail.com

**Phone:** 2123624341

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## General Comment

I oppose this legislation which would transfer oversight of international gun sales from the State Department to the US Department of Commerce. We do not need any more non-military people, US or international, owning military style machine guns.

Thank you for protecting world order.

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 2:57 PM
<b>Received:</b> July 03, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 12, 2018
<b>Tracking No.</b> 1k2-942p-bped
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0443

Public Comment 218. Anonymous. 7-3-18

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## Submitter Information

**Name:** Anonymous Anonymous

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## General Comment

The State Department should by all means retain the authority to handle export licenses of semiautomatic assault weapons and other powerful firearms. The transfer of that authority to the Commerce Department would kill a program that carries out post-shipment & pre-license inspections, eliminate licensing requirements that hamper trafficking, and open the way for anyone to make 3d printed weapons. Also, the State Department alone can give notice to Congress to block weapons sales that could jeopardize our security. For all these reasons, the proposed transfer should be abandoned, as it would make us considerably less safe.



# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 2:58 PM
<b>Received:</b> July 03, 2018
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<b>Tracking No.</b> 1k2-942p-irmw
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0444

Public Comment 219. Individual. Victoria Meguid. 7-3-18

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## Submitter Information

**Name:** Victoria Meguid

**Address:** United States,

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## General Comment

Firearms are dangerous. They are used to kill people every day around the world in acts of organized crime, political violence, terrorism, and human rights violations. They should be subject to more controls, not less! Congress should know when large amounts of firearms are being sold to other countries. guns go to Mexico illegally and look what has happened there- thousands of deaths in the last year with American guns. Just like many of the other changes in this country in the last 18 months this is dangerous this is not what we should be doing to keep a peaceful world. it is just lining the pockets of the gun makers. Be responsible. Thank you.

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 2:59 PM
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<b>Posted:</b> July 12, 2018
<b>Tracking No.</b> 1k2-942p-px9m
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0445

Public Comment 220. Individual. Jessica Rettig. 7-3-18

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## Submitter Information

**Name:** Jessica Rettig

**Address:**

111 W. College Street  
Granville, 43023

**Email:** jessica\_rettig@ymail.com

**Phone:** 740-587-9847

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## General Comment

I am writing to strongly object to the proposed changes in the United States' proposed rule on the Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML).

Right now, firearms exports are classified as military. This is why firearm exports are under the regulation of the State Department, and why Congress can block sales of large batches of firearms to foreign countries. This is a good policy and it helps keep the world and Americans safe.

If the regulation of firearm exports is changed to regulation by the Department of Commerce and the Bureau of Industry and Security (BIS), then exports of firearms will be less regulated and firearms will fall into the wrong hands around the world. Indeed, the Department of Commerce is not charged with safeguarding the USA, that's the job of the State Department, so it should regulate firearm export. Also I am concerned that the BIS does not have the ability or resources to effectively monitor and control the export of firearms. Thus firearms will spread across the world and firearms will find their way back into the United States, where they can be used against innocent children. In fact, if the Department of Commerce is in control of firearms exports, then Congress would no longer be automatically informed about sizable weapons sales that it could stop in the name of national security, even to countries where there are serious human rights concerns.

Please do not shift control of firearms exports to the Department of Commerce and the BIS. Such a move will generate bloodshed across the globe and here are home in America. We must avoid such a future and prevent

more gun and firearm violence.

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 3:00 PM
<b>Received:</b> July 03, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 12, 2018
<b>Tracking No.</b> 1k2-942p-kdam
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0446

Public Comment 221. Individual. Isaiah Plovnick. 7-3-18

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## Submitter Information

**Name:** Isaiah Plovnick

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## General Comment

I vehemently oppose this irresponsible, unethical, and frankly amoral rule change that would switch the regulations of firearms export from the U.S. State Department to the U.S. Commerce Department.

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 3:01 PM
<b>Received:</b> July 03, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 12, 2018
<b>Tracking No.</b> 1k2-942p-juxg
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0447

Public Comment 222. Individual. Richard Booth. 7-3-18

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## Submitter Information

**Name:** Richard Booth

**Address:**

26250 Dreschfield

Grosse Ile, MI, 48138-1601

**Email:** rtbooth6@yahoo.com

**Phone:** 7348183355

**Fax:** 48138-1601

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## General Comment

I oppose the rule change! Keep it in State!

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 3:02 PM
<b>Received:</b> July 03, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 12, 2018
<b>Tracking No.</b> 1k2-942p-s3r7
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0448

Public Comment 223. Individual. Jeremy Becker. 7-3-18

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## Submitter Information

**Name:** Jeremy Becker

**Address:**

4514 17th St

San Francisco, CA, 94114

**Email:** Jeremy.p.becker@gmail.com

**Phone:** 4157262556

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## General Comment

All firearms are military. All should be handled by the us state department as such. I do not approve of this shift.

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 3:03 PM
<b>Received:</b> July 03, 2018
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<b>Posted:</b> July 12, 2018
<b>Tracking No.</b> 1k2-942p-ybnv
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0449

Public Comment 224. B Anonymous. 7-3-18

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## Submitter Information

**Name:** B Anonymous

**Address:**

PO Box 1724

OR,

**Phone:** 5415362439

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## General Comment

Keep the authority with the U.S. State Department.  
Do NOT change the rules.

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 3:06 PM
<b>Received:</b> July 03, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 12, 2018
<b>Tracking No.</b> 1k2-942p-nw34
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0450

Public Comment 225. Individual. Nina Diamante. 7-3-18

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## Submitter Information

**Name:** Nina Diamante

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## General Comment

Make all manufacture or sale of any firearms illegal in the U.S.A. with a huge fine and imprisonment for anyone, manufacturing, selling either firearms or ammunition. We have had enough people killed and maimed.



# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 3:07 PM
<b>Received:</b> July 03, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 12, 2018
<b>Tracking No.</b> 1k2-942p-w30j
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0451

Public Comment 226. Individual. Elise Margulis. 7-3-18

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## Submitter Information

**Name:** Elise Margulis

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## General Comment

It's a very bad idea to eliminate the State Departments Blue Lantern program, in place since 1940, which carries out hundreds of pre-license and post-shipment inspections and publicly reports on them.[]

Removing licensing requirements for brokers will increase the risk of trafficking.

Removing the State Departments block on the 3D printing of firearm is a terrible plan. When Defense Distributed founder Cody Wilson posted online instructions for how to 3D print weapons, the State Department successfully charged him with violating arms export laws, since his open-source posting made it possible for anyone with access to a 3D printer, anywhere, to produce a lethal weapon. The rule switch would remove this block, effectively enabling 3D printing of firearms in the U.S. and around the globe.

Sincerely,  
Elise Margulis

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 3:08 PM
<b>Received:</b> July 03, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 12, 2018
<b>Tracking No.</b> 1k2-942p-x9ve
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0452

Public Comment 227. Individual. Anna Feldman. 7-3-18

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## Submitter Information

**Name:** Anna Feldman

**Address:**

5659 Sunset Falls Drive

Apollo Beach, 33572

**Email:** sfeldman01@verizon.net

**Phone:** 7076285399

**Fax:** 33572

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## General Comment

To Whom it may concern:

There is a push to transfer control of firearms to the Department of Commerce which does not have the resources to oversee the transfer of these weapons particularly if they are allowed to be sold in other countries. Our country's security would be at risk once these weapons leave our boundaries. Below are several other very important reasons why this transfer should not happen.

It would eliminate the State Departments Blue Lantern program, in place since 1940, which carries out hundreds of pre-license and post-shipment inspections and publicly reports on them.[5]

It would remove licensing requirements for brokers, increasing the risk of trafficking.[6]

It would remove the State Departments block on the 3D printing of firearms. When Defense Distributed founder Cody Wilson posted online instructions for how to 3D print weapons, the State Department successfully charged him with violating arms export laws, since his open-source posting made it possible for anyone with access to a 3D printer, anywhere, to produce a lethal weapon. The rule switch would remove this block, effectively enabling 3D printing of firearms in the U.S. and around the globe.[7]

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 4:26 PM
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<b>Posted:</b> July 12, 2018
<b>Tracking No.</b> 1k2-942p-qpvm
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0453

Public Comment 228. Individual. Virginia Jastromb. 7-3-18

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## Submitter Information

**Name:** Virginia Jastromb

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## General Comment

The Commerce Department does not have the sources to enforce arms sales to foreign countries. The State Department has that ability.

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 4:27 PM
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<b>Posted:</b> July 12, 2018
<b>Tracking No.</b> 1k2-942p-4ij0
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0454

Public Comment 229. Individual. Debra Cunningham. 7-3-18

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## Submitter Information

**Name:** Debra Cunningham

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## General Comment

I oppose the rule change to allow semi-automatic weapons to be licensed through the department of commerce instead of the state department. The US is already the leader in gun violence and the last thing we need to do is export our problem.

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 4:27 PM
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<b>Status:</b> Posted
<b>Posted:</b> July 12, 2018
<b>Tracking No.</b> 1k2-942p-knh1
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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0455

Public Comment 230. Individual. Gina Bates. 7-3-18

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## Submitter Information

**Name:** Gina Bates

**Address:**

40 South St

Apple Creek, OH, 44606

**Email:** star3609@aol.com

**Phone:** 3306986195

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## General Comment

I OPPOSE the rule change that would switch the regulations of firearms export from the U.S. State Department to the U.S. Commerce Department.

Guns are already out of control. We do NOT need any more.

LEAVE THE RULE IN PLACE, UNCHANGED!

# PUBLIC SUBMISSION

<b>As of:</b> 7/12/18 4:30 PM
<b>Received:</b> July 03, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 12, 2018
<b>Tracking No.</b> 1k2-942p-bitl
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0456

Public Comment 231. Individual. Chip Sharpe. 7-3-18

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## Submitter Information

**Name:** Chip Sharpe

**Address:**

1644 Old Arcata Road  
Bayside, CA, 95524-9301

**Email:** chipsharpe@sbcglobal.net

---

## General Comment

I am aware that the State Departments Blue Lantern program provides critical controls over arms exports. We cannot allow less regulated sales of weapons to further tarnish the world's view of our nation as a rogue state willing to inflict destruction wherever a market for murderous firearms can be found. Commerce Department does not have the resources to govern international arms sales. Please do not allow current regulations to be weakened.

# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 9:27 AM
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<b>Status:</b> Posted
<b>Posted:</b> July 13, 2018
<b>Tracking No.</b> 1k2-942p-l0ik
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0525

Public Comment 232. Individual. Robert Haslag. 7-3-18

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## Submitter Information

**Name:** Robert Haslag

**Address:**

10513 Bryant Rd  
Centertown, MO, 65023

**Email:** bobhaslag@gmail.com

**Phone:** 5735843525

**Fax:** 65023

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## General Comment

Sir,

I would like to address the proposed rule change on which department should control gun sales. Right now, firearms exports are classified as military. This is why they are under the regulation of the State Department, and why Congress can block sales of large batches of firearms to foreign countries.[2] With the rule change, Congress would no longer be automatically informed about sizable weapons sales that it could stop in the name of national security, even to countries where there are serious human rights concerns, such as the Philippines and Turkey.[3]

Meanwhile, the Commerce Department just does not have the resources to adequately enforce export controls. Its Bureau of Industry and Security does not have staff everywhere. This means that firearms traffickers, organized crime, terrorist organizations, and other violent and dangerous agents would face far fewer hurdles to obtaining large caches of American guns and ammunition.

Considering the national security interest AND the inability of Commerce to actually handle the job, I propose that doing this would be clearly the wrong thing to do.

# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 9:33 AM
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<b>Posted:</b> July 13, 2018
<b>Tracking No.</b> 1k2-942p-p63k
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0530

Public Comment 233. Individual. Zareen Kapadia. 7-3-18

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## Submitter Information

**Name:** Zareen Kapadia

**Address:**

Durham, NC, 27704

**Email:** zareen.kapadia@gmail.com

**Phone:** 9195191249

---

## General Comment

I oppose this rule change that would switch the regulations of firearms export from the U.S. State Department to the U.S. Commerce Department. It would remove the State Departments block on the 3D printing of firearms. When Defense Distributed founder Cody Wilson posted online instructions for how to 3D print weapons, the State Department successfully charged him with violating arms export laws, since his open-source posting made it possible for anyone with access to a 3D printer, anywhere, to produce a lethal weapon. The rule switch would remove this block, effectively enabling 3D printing of firearms in the U.S. and around the globe.



# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 9:34 AM
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<b>Tracking No.</b> 1k2-942p-mk3d
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0532

Public Comment 234. Individual. Karen Davis. 7-3-18

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## Submitter Information

**Name:** Karen Davis

**Address:**

243 W Amoroso Dr

Gilbert, AZ, 85233

**Email:** karen.davis@asu.edu

**Phone:** 4808921266

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## General Comment

America has the highest number of guns--and gun deaths--of ANY developed country in the world. Mass shootings are becoming commonplace, to the horror and embarrassment of every logically thinking, peace-loving citizen. WHY on earth would we want to export our PROBLEM to the rest of the world? NO--the NRA . . . and American gun manufacturers . . . should NOT have the ability to architect the demise of our fellow human beings. NO LEGALIZED GUN TRAFFICKING!!!

# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 9:35 AM
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<b>Tracking No.</b> 1k2-942p-ww5s
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0534

Public Comment 235. Individual. Louise Kaufman. 7-3-18

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## Submitter Information

**Name:** Louise Kaufman

**Address:**

1502 Meadowbrook Drive

Mason City, IA, 50401

**Email:** louisek@mchsi.com

**Phone:** 6414242138

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## General Comment

I strongly oppose this rule change that would switch the regulations of firearms export from the U.S. State Department to the U.S. Commerce Department.

This change would mean that firearms traffickers, organized crime, terrorist organizations, and other violent and dangerous agents would face far fewer hurdles to obtaining large caches of American guns and ammunition.

Firearms are dangerous. They are used to kill people every day around the world in acts of organized crime, political violence, terrorism, and human rights violations. They should be subject to more controls, not less!

# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 9:36 AM
<b>Received:</b> July 03, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 13, 2018
<b>Tracking No.</b> 1k2-942p-o6vl
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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0535

Public Comment 236. Individual. William White. 7-3-18

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## Submitter Information

**Name:** William White

**Address:**

Fort WaltonBeach, United States, 32548

**Email:** u2rhuman@earthlink.net

**Phone:** 8502435247

**Organization:** Retired

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## General Comment

: I oppose this rule change that would switch the regulations of firearms export from the U.S. State Department to the U.S. Commerce Department. There should be extremely tight rules concerning any export of guns or weaponry in world increasingly plagued with violence. Please assure such a deadly factor for civilization be treated with the urgency it deserves. Thank you.

# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 9:37 AM
<b>Received:</b> July 03, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 13, 2018
<b>Tracking No.</b> 1k2-942p-l5r9
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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0537

Public Comment 237. Individual. Don Gentz. 7-3-18

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## Submitter Information

**Name:** Don Gentz

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## General Comment

I wish to express my opposition to the rule change that would allow the Commerce Department (focused on promoting American business) --not the State Department (focused on safeguarding our nation) -- to handle export licenses of semiautomatic assault weapons and other powerful firearms. The Commerce Department just does not have the resources to adequately enforce export controls. Its Bureau of Industry and Security does not have staff everywhere. The marketing of these weapons to firearms traffickers, organized crime, terrorist organizations, and other violent and dangerous agents would create many long-term and intractable problems in international relations and imperil lives everywhere. The safety and security of our nation and the marketing of large caches of American guns and ammunition are incompatible. Please do not take part in making the world a more dangerous and violent place.

# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 9:38 AM
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<b>Posted:</b> July 13, 2018
<b>Tracking No.</b> 1k2-942p-3u8j
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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0538

Public Comment 238. Individual. Judith Fletcher. 7-3-18

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## Submitter Information

**Name:** Judith Fletcher

**Address:**

Bronx, NY,

**Email:** jfletcher@riverdale.edu

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## General Comment

I write to strongly urge you not to move the handling of export licenses of semiautomatic assault weapons and other powerful firearms from the U.S. State Department, which is focused on safeguarding our nation, to the U.S. Commerce Department, which is focused on promoting American business. This transfer of authority would open new floodgates for arms sales internationally, with serious implications for our national security.

Keeping firearms exports classified as military allows Congress to monitor and block sales of large batches of firearms to foreign countries. I am deeply concerned that with the rule change, Congress would no longer be automatically informed about sizable weapons sales that it could stop in the name of national security, even to countries where there are serious human rights concerns, such as the Philippines and Turkey.

In addition, I don't believe that the Commerce Department has the resources to adequately enforce export controls.

Switching the regulation of firearms exports from the State Department to the Commerce Department would facilitate firearms exports to oppressive regimes, remove safeguards that help keep extra-legal agents like organized crime and terrorist organizations from obtaining weapons, and further fuel violence that destabilizes countries and causes mass migration.

Specifically,

It would eliminate the State Departments Blue Lantern program, in place since 1940, which carries out hundreds of pre-license and post-shipment inspections and publicly reports on them.

It would remove licensing requirements for brokers, increasing the risk of trafficking.

It would remove the State Departments block on the 3D printing of firearms. When Defense Distributed founder

Cody Wilson posted online instructions for how to 3D print weapons, the State Department successfully charged him with violating arms export laws, since his open-source posting made it possible for anyone with access to a 3D printer, anywhere, to produce a lethal weapon. The rule switch would remove this block, effectively enabling 3D printing of firearms in the U.S. and around the globe.

The proposed rule change would make the world a far more dangerous place. Please do not put the financial interests of firearms sellers ahead of the safety and well-being of citizens everywhere.

# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 9:39 AM
<b>Received:</b> July 03, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 13, 2018
<b>Tracking No.</b> 1k2-942p-ci4h
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0539

Public Comment 239. Individual. Mark Meeks. 7-3-18

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## Submitter Information

**Name:** Mark Meeks

**Address:**

399 Blackbird  
Bailey, CO, 80421

**Email:** mkenosha@aol.com

**Phone:** 303 8161454

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## General Comment

Far too much gun violence haunts our world. We are all wounded. Too many guns are endangering all of us. The Commerce Department does not have the resources to protect us from the arms trade. That huge challenge belongs far more appropriately to the State Department. Please oppose any change to our countrys governance regarding the trade in guns.

# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 9:40 AM
<b>Received:</b> July 03, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 13, 2018
<b>Tracking No.</b> 1k2-942p-cs74
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0540

Public Comment 240. Individual. Todd Heiler. 7-3-18

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## Submitter Information

**Name:** Todd Heiler

**Address:**

4976 Van Dyke Ct

ARCATA, 95521

**Email:** tbh1924@outlook.com

**Phone:** 7078453475

**Fax:** 95521

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## General Comment

This action is not advised. It will threaten national security by making it easier for terrorists and other enemies to have access to these weapons and to turn those weapons on Americans. The NRA and gun manufacturers have a right to make money, but not if that right endangers national security. Second amendment rights do not trump the right to life and security. National security and personal safety should not be sacrificed for the sake of greed. I speak as a military veteran and as someone who has served in law enforcement and private security. I also hold a Bachelor of Science degree in Criminal Justice. thank you.



# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 9:42 AM
<b>Received:</b> July 03, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 13, 2018
<b>Tracking No.</b> 1k2-942q-fxz0
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0541

Public Comment 241. Individual. Kata Orndorff. 7-3-18

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## Submitter Information

**Name:** Kata Orndorff

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## General Comment

I oppose this rule change that would switch the regulations of firearms export from the U.S. State Department to the U.S. Commerce Department. The Commerce Department is not set up to evaluate if a particular sale could be dangerous to our country. Please do not make this rule change.

# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 9:43 AM
<b>Received:</b> July 03, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 13, 2018
<b>Tracking No.</b> 1k2-942q-8yof
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0543

Public Comment 242. Individual. mary sherman. 7-3-18

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## Submitter Information

**Name:** mary sherman

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## General Comment

I strongly oppose this rule change that would switch the regulations of firearms export from the U.S. State Department to the U.S. Commerce Department. This is jsut looking for more violence abroad and toward our citizens as welll as the peoples of this world. Seriously, how can you even consider this?

# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 9:44 AM
<b>Received:</b> July 03, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 13, 2018
<b>Tracking No.</b> 1k2-942q-t68g
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0545

Public Comment 243. Individual. Charles La Rosa. 7-3-18

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## Submitter Information

**Name:** Charles La Rosa

**Address:**

34 Highlawn Rd  
Brattleboro, VT, 05301

**Email:** charlie.larosa@gmail.com

**Phone:** 8023430401

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## General Comment

I am opposed to changing the purview of firearms export from the Department of State to the Department of Commerce. It appears that primary purpose of the change, as promoted by the NRA, is to loosen the restriction on the export of firearms including military-style semi-automatic weapons.

One of the primary reasons that individuals and families from Central American countries seek to gain asylum in the U.S. or to enter illegally is for personal safety and to escape the high levels of crime and violence in their countries of origin. A large percentage of the weapons used illegally in these countries are sourced in the U.S. They are smuggled into these countries from the U.S. through the efforts of unlawful and unscrupulous gun dealers and criminals.

So, as we attempt to stem the flow of asylum seekers and migrants, both legal and illegal, from these countries, we are at the same time contributing to the conditions that spur them to leave their homes.

I do not see how the transfer of oversight from State to Commerce will improve the current situation, which is what we should be doing, and not making a bad situation even worse.

Such a transfer would eliminate the State Departments Blue Lantern program, in place since 1940, which carries out hundreds of pre-license and post-shipment inspections and publicly reports on them.[5]  
It would remove licensing requirements for brokers, increasing the risk of trafficking.[6]  
It would remove the State Departments block on the 3D printing of firearms. When Defense Distributed founder

Cody Wilson posted online instructions for how to 3D print weapons, the State Department successfully charged him with violating arms export laws, since his open-source posting made it possible for anyone with access to a 3D printer, anywhere, to produce a lethal weapon. The rule switch would remove this block, effectively enabling 3D printing of firearms in the U.S. and around the globe.[7]

Firearms are dangerous. They are used to kill people every day around the world in acts of organized crime, political violence, terrorism, and human rights violations. They should be subject to more controls, not less!

I strongly urge you not to make this change and thereby make it easier for gun to move out of the U.S. into the hands of criminals and criminal gangs in Central America and other countries.

Please see references below.

[1] Trump move would make it easier for U.S. gun manufacturers to export firearms, The Washington Times, May 14, 2018.

[2] Trump wants to make foreign arms sales easier, The Boston Globe, June 23, 2018.

[3] Ibid., The Boston Globe

[4] American Guns Drive the Migrant Crisis That Trump Wants to Fix With a Wall, The Trace, May 25, 2017.

[5] The Trump administration proposes making gun exports easier. Heres how to submit your public comment on this dangerous proposal, Violence Policy Center.

[6] Ibid., Violence Policy Center.

[7] "U.S. requires group to remove 3-D gun instructions from its website," CNN.com, May 13, 2013.

# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 9:45 AM
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<b>Status:</b> Posted
<b>Posted:</b> July 13, 2018
<b>Tracking No.</b> 1k2-942q-t2d3
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0546

Public Comment 244. Individual. Catherine Lambeau. 7-3-18

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## Submitter Information

**Name:** Catherine Lambeau

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## General Comment

The proliferation of guns and automatic weapons is the cause of the ever increasing number of mass shootings in this country!!! Passing oversight to the commerce department would only increase the problem as they are concerned with commerce not safety

# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 9:46 AM
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<b>Posted:</b> July 13, 2018
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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0548

Public Comment 245. Individual. Barry Cheney. 7-3-18

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## Submitter Information

**Name:** Barry Cheney

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## General Comment

I oppose the plan to change the licensing of weapon exports from the State Department to the Commerce Department. The world is flooded with too many weapons which fuel wars and terrorism. Please dont change this.

# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 9:46 AM
<b>Received:</b> July 03, 2018
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<b>Posted:</b> July 13, 2018
<b>Tracking No.</b> 1k2-942q-al8z
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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0550

Public Comment 246. Individual. Catherine Kennedy Riggs. 7-3-18

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## Submitter Information

**Name:** Catherine Kennedy Riggs

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## General Comment

I am writing in opposition of changing the regulations regarding the export of firearms. Switching the regulation of firearms exports from the State Department to the Commerce Department would facilitate firearms exports to oppressive regimes, remove safeguards that help keep extra-legal agents like organized crime and terrorist organizations from obtaining weapons, and further fuel violence that destabilizes countries and causes mass migration.

The rule change would make the world a far more dangerous place:

It would eliminate the State Departments Blue Lantern program, in place since 1940, which carries out hundreds of pre-license and post-shipment inspections and publicly reports on them.[5]

It would remove licensing requirements for brokers, increasing the risk of trafficking.[6]

It would remove the State Departments block on the 3D printing of firearms. When Defense Distributed founder Cody Wilson posted online instructions for how to 3D print weapons, the State Department successfully charged him with violating arms export laws, since his open-source posting made it possible for anyone with access to a 3D printer, anywhere, to produce a lethal weapon. The rule switch would remove this block, effectively enabling 3D printing of firearms in the U.S. and around the globe.[7]

Firearms manufacturers should not be allowed free reign in the distribution of their product due to the dangerousness posed to populations worldwide.

[1] Trump move would make it easier for U.S. gun manufacturers to export firearms, The Washington Times, May 14, 2018.

[2] Trump wants to make foreign arms sales easier, The Boston Globe, June 23, 2018.

[3] Ibid., The Boston Globe

[4] American Guns Drive the Migrant Crisis That Trump Wants to Fix With a Wall, The Trace, May 25, 2017.

[5] The Trump administration proposes making gun exports easier. Heres how to submit your public comment on this dangerous proposal, Violence Policy Center.

[6] Ibid., Violence Policy Center.

[7] "U.S. requires group to remove 3-D gun instructions from its website," CNN.com, May 13, 2013.



# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 9:49 AM
<b>Received:</b> July 03, 2018
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<b>Posted:</b> July 13, 2018
<b>Tracking No.</b> 1k2-942q-m0db
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0552

Public Comment 247. Individual. Marianne Hunter. 7-3-18

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## Submitter Information

**Name:** Marianne Hunter

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## General Comment

My family and I have just learned the the NRA is lobbying to move regulations of sales from US gun manufacturers from the Department of States to the Dept of Commerce. This Unacceptable and inappropriate .

No other nation in the world has a civilian population that is armed as ours is here. Who are the customers for these weapons? Terrorists, paramilitary groups and criminals. Will US weapons be used to kill our own military personnel? To kill our allies and friends? To kill vulnerable population groups? To kill American tourists? Without a doubt! Will the Dept of Commerce, whose purpose is to promote the sales of American products become an enabler of weapons dealers? Putting regulation of weapons sales under the Department of Commerce is a complete renunciation of every effort to control the flow of weapons that can and will be used against Americans ( and other humans)! This is so anathema to the best interests of the USA, it crosses the line to treason, as it aids and abets the enemies of the United States of America.

You must use everything in your power to stop this descent into chaos.  
Sincerely, Marianne Hunter and family

# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 9:50 AM
<b>Received:</b> July 03, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 13, 2018
<b>Tracking No.</b> 1k2-942q-68bn
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0553

Public Comment 248. Individual. Michael Gnat. 7-3-18

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## Submitter Information

**Name:** Michael Gnat

**Address:**

295 14th Street

Brooklyn, 11215-4911

**Email:** michaelgnat@yahoo.com

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## General Comment

I vehemently oppose this rule change that would switch the regulations of firearms export from the U.S. State Department to the U.S. Commerce Department, thereby greatly weakening Congressional oversight of overseas arms sales. There are more than enough wars going on right now, and the US should not be in the business of creating more, or expanding the ones we have. There's much at stake in this world besides CORPORATE PROFITS!

# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 9:57 AM
<b>Received:</b> July 03, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 13, 2018
<b>Tracking No.</b> 1k2-942q-ugdi
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0554

Public Comment 249. Individual. Sheila Kojm. 7-3-18

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## Submitter Information

**Name:** Sheila Kojm

**Address:**

7 Orchard Road  
Bedford, MA, 01730

**Email:** boston\_kojm@yahoo.com

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## General Comment

The State Department, not the Commerce Department, should regulate the sale of arms outside of the US. Switching the regulation of firearms exports from the State Department to the Commerce Department would facilitate firearms exports to oppressive regimes, remove safeguards that help keep extra-legal agents like organized crime and terrorist organizations from obtaining weapons, and further fuel violence that destabilizes countries and causes mass migration.

My additional concerns are that this switch would:

- \* eliminate the State Departments Blue Lantern program, in place since 1940, which carries out hundreds of pre-license and post-shipment inspections and publicly reports on them.
- \* remove licensing requirements for brokers, increasing the risk of trafficking.
- \* remove the State Departments block on the 3D printing of firearms. When Defense Distributed founder Cody Wilson posted online instructions for how to 3D print weapons, the State Department successfully charged him with violating arms export laws, since his open-source posting made it possible for anyone with access to a 3D printer, anywhere, to produce a lethal weapon. The rule switch would remove this block, effectively enabling 3D printing of firearms in the U.S. and around the globe.

The Commerce Department does not have the expertise, resources or global reach that State has to regulate arms sales to keep America safe from savvy overseas actors.

# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 9:58 AM
<b>Received:</b> July 03, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 13, 2018
<b>Tracking No.</b> 1k2-942q-xy5j
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0555

Public Comment 250. Individual. Robin Hall. 7-3-1

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## Submitter Information

**Name:** Robin Hall

**Address:**

6610 Loblolly Circle  
Waxhaw, NC, 28173

**Email:** rocnrobn37@gmail.com

**Phone:** 7048431741

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## General Comment

I oppose this rule change that would switch the regulations of firearms exports from the U.S. State Department to the U.S. Commerce Department. The consequences of such a change could have terrible consequences not only to our security but to the entire world.

# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 10:01 AM
<b>Received:</b> July 03, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 13, 2018
<b>Tracking No.</b> 1k2-942q-rqkg
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0556

Public Comment 251. Individual. Lawrence Jimenez. 7-3-18

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## Submitter Information

**Name:** Lawrence Jimenez

**Address:**

2530 Vasanta Way  
Hollywood, CA, 90068

**Email:** lawrenj@pacbell.net

**Phone:** 3234699418

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## General Comment

Please show this Citizen where in the Constitution is the clause that allows for children to be eligible to die quicker to suit the needs of the nrapeuglican party?

# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 10:04 AM
<b>Received:</b> July 03, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 13, 2018
<b>Tracking No.</b> 1k2-942q-rk98
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0557

Public Comment 252. Individual. Joyce Lewis. 7-3-18

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## Submitter Information

**Name:** Joyce Lewis

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## General Comment

Please do not consider opening the doors for sale of munitions. We should be regulating more, not less. How many killings do we need to witness before we understand the consequences of guns readily available to anyone?

# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 10:09 AM
<b>Received:</b> July 03, 2018
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<b>Posted:</b> July 13, 2018
<b>Tracking No.</b> 1k2-942q-chmi
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0558

Public Comment 253. Individual. Charles Wolfe. 7-3-18

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## Submitter Information

**Name:** Charles Wolfe

**Address:**

13376 Dronfield Ave.

Sylmar, CA, 91342

**Email:** cawolfe@verizon.net

**Phone:** 818 367-6798

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## General Comment

Please do all possible to keep weapons classified as military equipment and under jurisdiction of the State Department, especially export of same. They should not be treated as ordinary "good" for sale worldwide. They should not be under control of the U.S. Commerce Department as they are not like any other items under control of the Commerce Department.

Thank you in advance for considering my statement on this matter.

# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 10:08 AM
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<b>Tracking No.</b> 1k2-942q-4kxi
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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0559

Public Comment 254. Individual. Karen Sullivan. 7-3-18

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## Submitter Information

**Name:** Karen Sullivan

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## General Comment

How much will Trump make on this deal?

The NRA and gun manufacturers certainly have enough money

We don't need anymore guns ANYWHERE



# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 10:10 AM
<b>Received:</b> July 03, 2018
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<b>Posted:</b> July 13, 2018
<b>Tracking No.</b> 1k2-942q-9m15
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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0560

Public Comment 255. Individual. Sasha Kay. 7-3-18

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## Submitter Information

**Name:** Sasha Kay

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## General Comment

I oppose this rule change because the Commerce Department doesn't have enough resources to adequately enforce export controls. Its Bureau of Industry and Security does not have staff everywhere. This means that firearms traffickers, organized crime, terrorist organizations, and other violent and dangerous agents would face far fewer hurdles to obtaining large caches of American guns and ammunition.

# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 10:11 AM
<b>Received:</b> July 03, 2018
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<b>Posted:</b> July 13, 2018
<b>Tracking No.</b> 1k2-942q-kvs5
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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0561

Public Comment 256. Individual. Carol Hirth. 7-3-18

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## Submitter Information

**Name:** Carol Hirth

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## General Comment

I oppose switching regulation of fire arms exports from the State Department to the Department of Commerce which would remove safeguards against violence around the world.

Right now, firearms exports are classified as military. This is why they are under the regulation of the State Department, and why Congress can block sales of large batches of firearms to foreign countries. With the rule change, Congress would no longer be automatically informed about sizable weapons sales that it could stop in the name of national security, even to countries where there are serious human rights concerns, such as the Philippines and Turkey.

This would be dangerous and destructive to countries and people throughout the globe.

# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 10:12 AM
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<b>Posted:</b> July 13, 2018
<b>Tracking No.</b> 1k2-942q-xt7o
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0562

Public Comment 257. Individual. Helene Mayer. 7-3-18

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## Submitter Information

**Name:** Helene Mayer

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## General Comment

I am submitting this comment in strong opposition to the proposed rule to transfer oversight of small arms (firearms) exports from the State Department to the Commerce Department. This rule would make U.S. exports of small arms far more dangerous by transferring controls to an agency that prioritizes doing business over safeguarding national security.

The NSSF has already bragged that the rule would lead to a 20% increase in American gun exports. We can see the gun lobbys influence in the rules description of semiautomatic assault rifles like the AR-15 as civilian products. Weapons such as these were not designed for personal use; they were designed for battlefield, which is why they are the weapons of choice for mass shooters.

# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 10:13 AM
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<b>Posted:</b> July 13, 2018
<b>Tracking No.</b> 1k2-942q-rxud
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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0563

Public Comment 258. Individual. Peter Gellatly. 7-3-18

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## Submitter Information

**Name:** Peter Gellatly

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## General Comment

Aloha,

I am writing to request that oversight of firearms exports remain with the U.S. Department of State, rather than shift to the Department of Commerce. There are numerous reasons for this, but chief among them is common sense. Commerce is charged with selling things. The Department of State has a loftier purpose, and within its purview is public safety, here and abroad.

Shifted to Commerce, guns become just another commodity, regardless of their deadly purpose and impact. At State there is civility and restraint, plus rigid guidelines honoring American responsibility.

Surely Commerce has better options for would-be customers than those very items that bring such pain and suffering to our own citizens.

Thank you very much.

aloha, Peter Gellatly

# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 10:14 AM
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<b>Posted:</b> July 13, 2018
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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0564

Public Comment 259. Individual. Jessica Brewer. 7-3-18

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## Submitter Information

**Name:** Jessica Brewer

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## General Comment

I oppose this rule change that would switch the regulations of firearms export from the U.S. State Department to the U.S. Commerce Department. Do not make it easier for the US companies to sell weapons around the world. Weapons are not benign commerce. Weapons Commerce should be regulated more and controlled more, not less.

# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 10:15 AM
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<b>Posted:</b> July 13, 2018
<b>Tracking No.</b> 1k2-942q-ihg8
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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0565

Public Comment 260. Anonymous. 7-3-18

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## Submitter Information

**Name:** Anonymous Anonymous

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## General Comment

Right now, firearms exports are classified as military. This is why they are under the regulation of the State Department, and why Congress can block sales of large batches of firearms to foreign countries. With the rule change, Congress would no longer be automatically informed about sizable weapons sales that it could stop in the name of national security, even to countries where there are serious human rights concerns, such as the Philippines and Turkey.

It would eliminate the State Departments Blue Lantern program, in place since 1940, which carries out hundreds of pre-license and post-shipment inspections and publicly reports on them.

It would remove licensing requirements for brokers, increasing the risk of trafficking

It would remove the State Departments block on the 3D printing of firearms. When Defense Distributed founder Cody Wilson posted online instructions for how to 3D print weapons, the State Department successfully charged him with violating arms export laws, since his open-source posting made it possible for anyone with access to a 3D printer, anywhere, to produce a lethal weapon. The rule switch would remove this block, effectively enabling 3D printing of firearms in the U.S. and around the globe.

# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 10:16 AM
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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0566

Public Comment 261. Anonymous. 7-3-18

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## Submitter Information

**Name:** Anonymous Anonymous

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## General Comment

I oppose this rule change that would switch the regulations of firearms export from the U.S. State Department to the U.S. Commerce Department.

The State Department has the resources and mandate to keep American guns out of the hands of oppressive regimes, international criminals, and terrorists - the Commerce Department does not.

For reasons of national security, the State Department should continue to handle firearms export regulations.

# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 10:20 AM
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<b>Posted:</b> July 13, 2018
<b>Tracking No.</b> 1k2-942q-ey1n
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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0567

Public Comment 262. Individual. Henry Ickes. 7-3-18

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## Submitter Information

**Name:** Henry Ickes

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## General Comment

I oppose switching responsibility for the regulation of firearms exports from the US State Department to the US Commerce Department.

- This would eliminate the State Departments "Blue Lantern" program, which has been in place since 1940, carrying-out hundreds of pre-license and post-shipment inspections and publicly reporting on them.
- It would remove licensing requirements for brokers, increasing the risk of trafficking.
- It would remove the State Departments block on the 3D printing of firearms. Background - when Defense Distributed founder Cody Wilson posted online instructions for how to manufacture weapons using 3D printers, the State Department successfully charged him with violating arms export laws - his open-source posting made it possible for anyone with access to a 3D printer, anywhere, to produce a lethal weapon. The rule switch would remove this block, effectively enabling 3D printing of firearms both in the U.S. \*and\* around the globe. At that point, there's no safe place, anywhere.

And, so much for a market for US arms manufacturers when it's possible to make your own untraceable weapon.

Essentially, switching the regulation of firearms exports from the State Department to the Commerce Department would (1) make it easier to provide firearms to oppressive regimes, (2) remove safeguards to help keep extra-legal agents like organized crime and terrorist organizations from obtaining weapons (tough enough as it currently is), and (3) further fuel violence that destabilizes countries and causes mass migration. Is that what the United States is - an unscrupulous arms merchant? We criticize other countries for doing this - how is this maintaining high moral ground?

Any \*truly\* religious person would oppose this action.



# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 10:21 AM
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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0568

Public Comment 263. Individual. Dwight Sanders. 7-3-18

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## Submitter Information

**Name:** Dwight Sanders

**Address:**

5176 Belmonte Drive  
Rochester, MI, 48306

**Email:** dwightsanders@hotmail.com

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## General Comment

I oppose this rule change that would switch the regulations of firearms export from the U.S. State Department to the U.S. Commerce Department. Switching the regulation of firearms exports would facilitate making weapons available to oppressive regimes, remove safeguards that help keep extra-legal agents like organized crime and terrorist organizations from obtaining weapons, and further fuel violence that destabilizes countries and causes mass migration. This is too dangerous and must not be allowed!

# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 10:28 AM
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<b>Posted:</b> July 13, 2018
<b>Tracking No.</b> 1k2-942q-we3k
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0569

Public Comment 264. Anonymous. 7-3-18

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## Submitter Information

**Name:** Anonymous Anonymous

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## General Comment

I am opposed to this change because there already is a serious problem with gun proliferation where the chief aim is greed and

the profit motive regardless of the consequences of this irresponsible proliferation of guns which this change will allow. This

proposal appears to ignore completely the moral issue of what needs to be done and the consequences of what will ensue.

# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 10:29 AM
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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0570

Public Comment 265. Individual. Cat McDonnell. 7-3-18

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## Submitter Information

**Name:** Cat McDonnell

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## General Comment

Please do not change the rules. There are too many people now with guns that shouldn't have them. The NRA has far too much influence on our politicians.

# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 10:29 AM
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<b>Posted:</b> July 13, 2018
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<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0571

Public Comment 266. Individual. Nancy Dorian. 7-3-18

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## Submitter Information

**Name:** Nancy Dorian

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## General Comment

I oppose the rule change that would switch the regulations of firearms export from the US State Dept. to the US Dept.of Commerce. The Commerce Dept. has neither the resources nor the staff to adequately enforce export controls. Furthermore, the rule change would remove the State Dept.'s block on 3D print weapons, remove licensing requirements for brokers, thereby increasing the risk of trafficking, and it would eliminate the State Dept.'s Blue Lantern program.

# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 10:30 AM
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<b>Tracking No.</b> 1k2-942q-nxwr
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0572

Public Comment 267. Anonymous. 7-3-18

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## Submitter Information

**Name:** Anonymous Anonymous

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## General Comment

This proposal would be disastrous. It would allow munitions to fall into terrorists hands and allow them to create them via 3D technology.

# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 10:31 AM
<b>Received:</b> July 03, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 13, 2018
<b>Tracking No.</b> 1k2-942q-t9qk
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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0573

Public Comment 268. Individual. Joan Tramontano. 7-3-18

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## Submitter Information

**Name:** Joan Tramontano

**Address:**

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Venice, FL, 34293-4354

**Email:** JoanT814@aol.com

**Phone:** 9413758695

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## General Comment

I oppose the rule change that would switch the regulations of firearms export from the U.S. State Department to the U.S. Commerce Department. Switching the regulation of firearms exports from the State Department to the Commerce Department would facilitate firearms exports to oppressive regimes, remove safeguards that help keep extra-legal agents like organized crime and terrorist organizations from obtaining weapons, and further fuel violence that destabilizes countries and causes mass migration. Firearms are dangerous. They are used to kill people every day around the world in acts of organized crime, political violence, terrorism, and human rights violations. They should be subject to more controls, not less!

PLEASE don't let this happen. It is wrong and will make the world more violent and dangerous than ever. The National Rifle Association has no right to lobby for this outrageous change in United States regulations and policy.

# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 10:32 AM
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<b>Posted:</b> July 13, 2018
<b>Tracking No.</b> 1k2-942q-ezqg
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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0574

Public Comment 269. Individual. Emily Moran. 7-3-18

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## Submitter Information

**Name:** Emily Moran

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Merced, CA, 95340

**Email:** moranemily42@gmail.com

**Phone:** 2093544651

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## General Comment

I oppose switching the regulations of firearms export from the U.S. State Department to the U.S. Commerce Department. The state department is focused on the safety of our nation, which is what firearms export should be about, not commerce. With the rule change, Congress would no longer be automatically informed about sizable weapons sales that it could stop in the name of national security, even to countries where there are serious human rights concerns, such as the Philippines and Turkey. It would also remove licensing requirements for brokers, increasing the risk of weapons trafficking. Such changes would make our country - and people in other countries - less safe.

# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 10:33 AM
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<b>Status:</b> Posted
<b>Posted:</b> July 13, 2018
<b>Tracking No.</b> 1k2-942q-e0i8
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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0575

Public Comment 270. Individual. james talbot. 7-3-18

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## Submitter Information

**Name:** james talbot

**Address:**

Austin, TX, 78704

**Email:** talbot@talbotworld.com

**Phone:** 5125555555

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## General Comment

For security purposes, I am against any rule change that would change the regulations of firearms export from the U.S. State Department to the U.S. Commerce Department. Smells real fishy to me.



# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 1:08 PM
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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0617

Public Comment 271. Individual. Ellen Zarter. 7-3-18

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## Submitter Information

**Name:** Ellen Zarter

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Bellevue, 98008

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**Fax:** 98008

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## General Comment

Allowing the export of firearms presents a clear and present danger to our own country. I cannot believe this idea will be seriously considered. All those guns abroad will come back to haunt us. I would hope that other countries would forbid such sales. But they shouldn't have to. WE should prevent them from being exported. This is crazy.

# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 1:10 PM
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<b>Posted:</b> July 13, 2018
<b>Tracking No.</b> 1k2-942q-2tl5
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0618

Public Comment 272. Individual. Vonny Eckman. 7-3-18

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## Submitter Information

**Name:** Vonny Eckman

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Carlisle, PA, 17015

**Email:** voneckman@yahoo.com

**Phone:** 7172415287

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## General Comment

I am completely against a move to change rules for firearms to be sold to other countries from the Dept. of State to the Dept. of Commerce. While we expect other countries not to interfere with our regulations, someone wants to make weapons just another commodity so that the rich capitalists can become even richer and the world less safe! At a time where we have been at constant war, and expect other countries to stop making weapons, the powers that be in DC find this action acceptable???

I deplore the expansion of more weapons to be sold and certainly not through the commerce Dept. in order to avoid Congress. Have we elected a dictator or a President of a Great Democracy! This action in no way makes for peace and neither does a stupid military parade that wastes our hard-earned tax dollars for no purpose!

I am completely against both actions and want the powers that be to take notice. Thank you for listing and acting against such insanity!

# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 1:11 PM
<b>Received:</b> July 03, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 13, 2018
<b>Tracking No.</b> 1k2-942q-1551
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0619

Public Comment 273. Individual. Kathryn Riss. 7-3-18

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## Submitter Information

**Name:** Kathryn Riss

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## General Comment

I oppose this rule change that would switch the regulations of firearms export from the U.S. State Department to the U.S. Commerce Department. Currently, firearms exports are classified as military. This is why they are under the regulation of the State Department, and gives Congress the ability to block sales of large batches of firearm to foreign countries. With the rule change, Congress would no longer be automatically informed about sizable weapons sales that it could stop in the name of national security, even to countries where there are serious human rights concerns, such as the Philippines and Turkey. The Commerce Department lacks the resources to enforce export controls adequately. Under the proposed rule change, this lack of enforcement and transparency would allow firearms traffickers, organized crime, terrorist organizations, and other violent and dangerous agents to obtain large caches of American guns and ammunition much more easily than they can now.

# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 1:12 PM
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<b>Posted:</b> July 13, 2018
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<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0620

Public Comment 274. Individual. Rebecca Gillespie. 7-3-18

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## Submitter Information

**Name:** Rebecca Gillespie

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## General Comment

I oppose this rule change switching the regulations of firearms export from the U.S. State Department to the U.S. Commerce Department.

# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 1:13 PM
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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0622

Public Comment 275. Individual. Jennifer Biswas. 7-3-18

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## Submitter Information

**Name:** Jennifer Biswas

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## General Comment

I oppose this rule change that would switch the regulations of firearms export from the U.S. State Department to the U.S. Commerce Department. The bottom line is that switching the regulation of firearms exports from the State Department to the Commerce Department would facilitate firearms exports to oppressive regimes, remove safeguards that help keep extra-legal agents like organized crime and terrorist organizations from obtaining weapons, and further fuel violence that destabilizes countries and causes mass migration.

We must safeguard the interests of our nation rather than relax regulations for the purposes of making money for gun manufacturers.

# PUBLIC SUBMISSION

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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0629

Public Comment 276. Individual. James Cunningham. 7-3-18

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## Submitter Information

**Name:** James Cunningham

**Address:**

Powell, OH, 43065

**Email:** james.cunningham@earthlink.net

**Phone:** 6143260730

**Organization:** Guitar Instruction

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## General Comment

I oppose this rule change that would switch the regulations of firearms export from the U.S. State Department to the U.S. Commerce Department. This is an incredibly bad idea the origin of which lies in a basis of greed and nothing else. To allow easier export of weapons with less oversight defies sound reasoning, common sense, and simple logic. We in the USA already have a severe problem with too many guns in the wrong hands as evidenced by the massive increase in mass shootings, the likes of which were exceptionally rare in our past. Why would we want to export that? If anything, we need to make it far more difficult to export weapons in order to address the all too common violence around the world. This is yet another senseless and foolish idea from the most corrupt administration in our nations history.

# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 1:43 PM
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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0633

Public Comment 277. Individual. Gregory Fite. 7-3-18

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## Submitter Information

**Name:** Gregory Fite

**Address:**

1751 Kudu Court  
Hayward, CA, 94541

**Email:** greg.fite@gmail.com

**Phone:** 510-583-0511

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## General Comment

I oppose the proposed rule change that would switch oversight of arms sales from the State Department to the Department of Commerce. This is an open invitation to uncontrollable arms sales for profit, over the interests of national security and public safety.

# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 1:44 PM
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<b>Posted:</b> July 13, 2018
<b>Tracking No.</b> 1k2-942q-zogf
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0635

Public Comment 278. Individual. Chris Casper. 7-3-18

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## Submitter Information

**Name:** Chris Casper

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## General Comment

The NRA and gun manufacturers want guns everywhere, for everyone, making us all less safe. I oppose this rule change that would switch the regulations of firearms export from the U.S. State Department to the U.S. Commerce Department.



# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 1:45 PM
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<b>Status:</b> Pending_Post
<b>Tracking No.</b> 1k2-942q-hims
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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-DRAFT-0685

Comment on FR Doc # 2018-10367

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## Submitter Information

**Name:** Greg Sells

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## General Comment

I am opposed to the move of regulating firearms exports from the Department of State to the Department of Commerce. Commerce does not have enough staff to adequately enforce export controls. State currently has the Blue Lantern program, dating to 1940, which conducts pre-license and post-shipment inspections and publicly reports on them. That would disappear under Commerce. Also, licensing requirements for brokers and bans on 3D printing of weapons would be removed. With Congress no longer notified of arms sales to repressive regimes such as the Philippines and Turkey, the world would be a more dangerous place.

# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 1:51 PM
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<b>Posted:</b> July 13, 2018
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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0637

Public Comment 280. Individual. Eric Scheihagen. 7-3-18

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## Submitter Information

**Name:** Eric Scheihagen

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## General Comment

I strongly oppose this proposed rule change that would switch the regulations of firearms export from the U.S. State Department to the U.S. Commerce Department. The export of firearms has serious national security, geopolitical and human rights implications, and should continue to be regulated by the State Department.

# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 1:53 PM
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<b>Posted:</b> July 13, 2018
<b>Tracking No.</b> 1k2-942q-nwwl
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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0638

Public Comment 281. Individual. Jen Han. 7-3-18

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## Submitter Information

**Name:** Jen Han

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## General Comment

I oppose this rule change that would switch the regulations of firearms export from the U.S. State Department to the U.S. Commerce Department. Please do not change the location of this regulatory responsibility.

# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 1:58 PM
<b>Received:</b> July 03, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 13, 2018
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<b>Comments Due:</b> July 09, 2018
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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0639

Public Comment 282. Individual. Amrita Burdick. 7-3-18

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## Submitter Information

**Name:** Amrita Burdick

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## General Comment

The Commerce Department does not have staff to adequately monitor arms sales, nor does it have a vested interest in keeping the world sane and peaceful. Opening arms sales to anyone (think organized crime, terrorist groups) would make the US and the world less safe.

Given the current world situation with civilians dying in ever so many places, it makes a lot more sense to keep arms traffic under the Department of State, where arms sales can be monitored appropriately. Human lives are more valuable than money. It's time to get US policies back in line with international mores and with our common values.

# PUBLIC SUBMISSION

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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0641

Public Comment 283. Individual. Rick Belding. 7-3-18

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## Submitter Information

**Name:** Rick Belding

**Address:**

Santa Rosa, CA, 95404

**Email:** rickb-interests@stanfordalumni.org

**Phone:** 7074775060

**Organization:** Richard

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## General Comment

Please leave the control of firearms sales to the Department of State. There is no reason to allow uncontrolled sales of firearms and related articles beyond profit. World Health and our own national security would be damaged by the proposed change. Thank you for denying the change.

# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 2:07 PM
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<b>Posted:</b> July 13, 2018
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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0644

Public Comment 284. Individual. Croitiene ganMoryn. 7-3-18

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## Submitter Information

**Name:** Croitiene ganMoryn

**Address:**

6211 SE 24th Ave

Ocala, FL, 34480

**Email:** adanto@jps.net

**Phone:** 3526204708

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## General Comment

I oppose this rule change.

With this rule change, Congress would no longer be automatically informed about sizable weapons sales that it could stop in the name of national security, even to countries where there are serious human rights concerns, such as the Philippines and Turkey. The Commerce Department just does not have the resources to adequately enforce export controls. This means that firearms traffickers, organized crime, terrorist organizations, and other violent and dangerous agents would face far fewer hurdles to obtaining large caches of American guns and ammunition.

The bottom line is that switching the regulation of firearms exports from the State Department to the Commerce Department would facilitate firearms exports to oppressive regimes, remove safeguards that help keep extra-legal agents like organized crime and terrorist organizations from obtaining weapons, and further fuel violence that destabilizes countries and causes mass migration.

Here are more details on how the rule change would make the world a far more dangerous place:

1. It would eliminate the State Departments Blue Lantern program, in place since 1940, which carries out hundreds of pre-license and post-shipment inspections and publicly reports on them.
2. It would remove licensing requirements for brokers, increasing the risk of trafficking.
3. It would remove the State Departments block on the 3D printing of firearms. When Defense Distributed founder Cody Wilson posted online instructions for how to 3D print weapons, the State Department successfully charged him with violating arms export laws, since his open-source posting made it possible for anyone with

access to a 3D printer, anywhere, to produce a lethal weapon. The rule switch would remove this block, effectively enabling 3D printing of firearms in the U.S. and around the globe.

Firearms are dangerous. They are used to kill people every day around the world in acts of organized crime, political violence, terrorism, and human rights violations. They should be subject to more controls, not less!

Thank you

# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 2:08 PM
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<b>Posted:</b> July 13, 2018
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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0645

Public Comment 285. Individuals. Barbara and Jim Dale. 7-3-18

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## Submitter Information

**Name:** Barbara and Jim Dale

**Address:**

909 Vernon St.

Decorah, IA, 52101

**Email:** nonrev909@neitel.net

**Phone:** 5633824693

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## General Comment

We strongly oppose the change that would place the sales of firearms internationally under the control of the Department of Commerce rather than the Department of State as has been the law.

Too many dangers exist in this proposal which seems to be based solely on profit motives.

Some of the changes that will cause problems are

- 1.It would eliminate the State Departments Blue Lantern program, in place since 1940, which carries out hundreds of pre-license and post-shipment inspections and publicly reports on them.
- 2.It would remove licensing requirements for brokers, increasing the risk of trafficking.
- 3.It would remove the State Departments block on the 3D printing of firearms. When Defense Distributed founder Cody Wilson posted online instructions for how to 3D print weapons, the State Department successfully charged him with violating arms export laws, since his open-source posting made it possible for anyone with access to a 3D printer, anywhere, to produce a lethal weapon. The rule switch would remove this block, effectively enabling 3D printing of firearms in the U.S. and around the globe.

We see the proliferation of guns anywhere as a threat to security, life and limb. To extend the curse that our country has come under to others around the world seems profoundly cruel and inhumane.



# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 2:10 PM
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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0646

Public Comment 286. Individual. Donna Bryant. 7-3-18

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## Submitter Information

**Name:** Donna Bryant

**Address:**

6210 E. Bristol Harbour Circle

Houston, TX, 77084

**Email:** schpinna@yahoo.com

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## General Comment

I oppose this rule change that would switch the regulations of firearms export from the U.S. State Department to the U.S. Commerce Department.

This transfer of authority would open new floodgates for arms sales internationally, with serious implications for our national security. With this rule change, Congress would no longer be automatically informed about sizable weapons sales that it could stop in the name of national security, even to countries where there are serious human rights concerns, such as the Philippines and Turkey.

Naturally, arms manufacturers would like this change because they are the most vile people on earth, dealing in death almost as a form of currency. They have enough money; ditch this attempt to give them even more obscene profits by exporting death and destruction.

# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 2:11 PM
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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0647

Public Comment 287. Anonymous. 7-3-18

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## Submitter Information

**Name:** Anonymous Anonymous

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## General Comment

We do not need to change this rule. This transfer of authority would open new floodgates for arms sales internationally, with serious implications for our national security. It would eliminate the State Departments Blue Lantern program, in place since 1940, which carries out hundreds of pre-license and post-shipment inspections and publicly reports on them. It would remove licensing requirements for brokers, increasing the risk of trafficking. It would remove the State Departments block on the 3D printing of firearms. When Defense Distributed founder Cody Wilson posted online instructions for how to 3D print weapons, the State Department successfully charged him with violating arms export laws, since his open-source posting made it possible for anyone with access to a 3D printer, anywhere, to produce a lethal weapon. The rule switch would remove this block, effectively enabling 3D printing of firearms in the U.S. and around the globe.

# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 2:12 PM
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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0648

Public Comment 288. Individual. Kathy Madden-Bentle. 7-3-18

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## Submitter Information

**Name:** Kathy Madden-Bentle

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## General Comment

Military weapons have no place in our society, they cause too much harm for a simple misunderstanding. Pump stocks are also an issue for me. Not enough people have the common sense to teach children about gun safety and the responsibility that goes with it. Children are taught to play with guns from a young age, and there is no training or lessons that have been taught to keep children safe. School shootings have become ramped and no one in our government seems to take them seriously enough to protect children while at school, in the store, or elsewhere.

# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 2:13 PM
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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0649

Public Comment 289. Individual. Raymond Zahra. 7-3-18

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## Submitter Information

**Name:** Raymond Zahra

**Address:**

1555 Horseshoe Dr.  
Florissant, MO, 63033

**Email:** raisemail2000-divert@yahoo.com

**Phone:** 3142766049

---

## General Comment

Switching the regulation of firearms exports from the State Department to the Commerce Department would facilitate firearms exports to oppressive regimes, remove safeguards that help keep extra-legal agents like organized crime and terrorist organizations from obtaining weapons, and further fuel violence that destabilizes countries and causes mass migration. Regulation of these exports should remain under the jurisdiction of the State Department.

# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 2:14 PM
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<b>Posted:</b> July 13, 2018
<b>Tracking No.</b> 1k2-942q-6viy
<b>Comments Due:</b> July 09, 2018
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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0650

Public Comment 290. Individual. Julia Stevenson. 7-3-18

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## Submitter Information

**Name:** Julia Stevenson

**Address:**

2955 Albemarle St. NW  
Washington, DC, 20008

**Email:** jks.ei@verizon.net

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## General Comment

I fervently disagree with the idea of switching the regulation of firearms exports from the State Department to the Commerce Department.

The State Department is the proper entity to handle export licenses of semi-automatic assault weapons and other powerful firearms.

Transferring this authority to the US Commerce Dept would open new floodgates for arms sales internationally, with serious implications for our national security.

It would eliminate the State Departments Blue Lantern program, in place since 1940, which carries out hundreds of pre-license and post-shipment inspections and publicly reports on them.

It would remove licensing requirements for brokers, increasing the risk of trafficking.

It would remove the State Departments block on the 3D printing of firearms, effectively enabling 3D printing of firearms in the U.S. and around the globe.

Such a move would facilitate firearms exports to oppressive regimes, remove safeguards that help keep extra-legal agents like organized crime and terrorist organizations from obtaining weapons, and further fuel violence that destabilizes countries and causes mass migration.

Firearms are dangerous. They are used to kill people every day around the world in acts of organized crime, political violence, terrorism, and human rights violations. They should be subject to more controls, not less!

I oppose this rule change.

# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 2:16 PM
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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0651

Public Comment 291. Individual. Annie McCombs. 7-3-18

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## Submitter Information

**Name:** Annie McCombs

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## General Comment

I strenuously oppose this proposal to remove control from the Department of State. Abandon this proposal!

# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 2:17 PM
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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0653

Public Comment 292. Individual. Marian Gompper. 7-3-18

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## Submitter Information

**Name:** Marian Gompper

**Address:**

205 2nd St. NW, Apt. 313  
Beulah, ND, 58523

**Email:** Mariangompper@gmail.com

**Phone:** 7018734230

---

## General Comment

I am a United States citizen of 84 years, and I am in strong opposition to the transfer of authority over gun sales export from the Department of State to your Department of Commerce. If anything, we need more and tighter restrictions on sales of guns, particularly assault type weapons, especially in these volatile times. Please consider this, as I worry for the future of this nation. I thank you for your consideration.



# PUBLIC SUBMISSION

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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0654

Public Comment 293. Individual. Hazel Pooloa. 7-3-18

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## Submitter Information

**Name:** Hazel Pooloa

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## General Comment

I OPPOSE THIS RULE CHANGE THAT WOULD SWITCH THE REGULATIONS OF FIREARMS EXPORT FROM THE

UNITED STATES STATE DEPARTMENT TO THE UNITED STATES COMMERCE DEPARTMENT. MY FOCUS IS ON

SAFEGUARDING MY UNITED STATES. THE SAFETY OF US AMERICANS--NOT UNETHICAL PROFIT--IS MOST

IMPORTANT.

# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 2:18 PM
<b>Received:</b> July 03, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 13, 2018
<b>Tracking No.</b> 1k2-942q-hb5l
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0655

Public Comment 294. Individual. Pam Palencia. 7-3-18

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## Submitter Information

**Name:** Pam Palencia

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Kihei, HI, 96753

**Email:** kachinala@outlook.com

**Phone:** 808-874-7412

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## General Comment

I oppose the rule that would switch the regulations of firearms EXPORT to the US Commerce Dept. You might be arming the enemy!!! Think about it.

# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 2:20 PM
<b>Received:</b> July 03, 2018
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<b>Posted:</b> July 13, 2018
<b>Tracking No.</b> 1k2-942q-iwog
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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0656

Public Comment 295. Individual. Kathryn Burns. 7-3-18

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## Submitter Information

**Name:** Kathryn Burns

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Austin, TX, 78727

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## General Comment

I wish to object to a proposal to switch oversight of international firearms sales from the State Department to the Commerce Department. First, we're talking about weapons, and we need to be careful who we help to arm in this world. That's always been part of State's mission; Commerce deals with, well, commerce. It's about trade and economics, not protecting human rights -- which could be severely compromised if some of our weapons land in the wrong hands. Commerce just isn't set up to oversee that kind of operation. In addition, certain programs would be eliminated: a.) the State Departments Blue Lantern program, created in 1940, which carries out hundreds of pre-license and post-shipment inspections and publicly reports on them; b.) oversight of licensing requirements for brokers, increasing the risk of trafficking; c.) the State Departments block on the 3D printing of firearms. When Defense Distributed founder Cody Wilson posted online instructions for how to 3D print weapons, the State Department successfully charged him with violating arms export laws, since his open-source posting made it possible for anyone with access to a 3D printer, anywhere, to produce a lethal weapon. The rule switch would remove this block, effectively enabling 3D printing of firearms in the U.S. and around the globe. All in all, the proposed change would make the world a more dangerous place. Please, please don't allow it to go through.

# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 2:21 PM
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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0658

Public Comment 296. Anonymous. 7-3-18

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## Submitter Information

**Name:** Anonymous Anonymous

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## General Comment

I oppose the proposed rule for the following reasons:

The proposed rule treats semi-automatic assault rifles as non-military. But many groups in importing countries use semi-automatic rifles in armed conflicts, causing enormous damage. U.S. troops use rifles in semi-automatic mode much of the time. Many countries prohibit civilian possession of semi-automatic rifles and handguns, as well as of any larger caliber firearm. Six U.S. states and several large retail chains also prohibit retail sale of semi-automatic assault rifles. Many semi-automatic rifles are also easily converted to fully automatic firearms. Because military-style assault rifles clearly have substantial military utility, transfer of these firearms to Commerce Department control is inconsistent with the statutory framework enacted by the Congress to regulate the export of arms.

The proposed rule would eliminate Congressional oversight for important gun export deals. That will limit its ability to comment on related human rights concerns, as it recently did on the Philippines and Turkey. In a September 15, 2017, letter, Senators Benjamin Cardin, Dianne Feinstein, and Patrick Leahy explicitly noted that this move would violate Congressional intent and effectively eliminate Congress proper role.

The new rules would transfer the cost of processing licenses from gun manufacturers to taxpayers. Gun exporters that benefit from these sales should shoulder this cost instead.

National laws for brokers and financiers who arrange firearm shipments are a weak link in the chain of efforts to curtail trafficking of small arms and light weapons. Although Commerce states it will retain rules on brokering for a State Department list that includes assault rifles, there is no statutory basis for brokers of these weapons to register and obtain a license, increasing the risk of trafficking.

The rule would eliminate the State Departments Blue Lantern program for publicly reporting gun and ammunition exports. It also would move license approval out of the department that compiles the U.S. Governments information on human rights violations, reducing the ability to deny weapons licenses to violators. End-use controls also are weakened by eliminating registration of firearms exporters.

The rule enables unchecked gun production in the U.S. and exports abroad by removing the block on 3D printing

of firearms. When Defense Distributed founder Cody Wilson posted online instructions for 3D-printing weapons, the State Department successfully charged him with violating arms export laws, since his open-source posting made it possible for anyone with access to a 3D printer, anywhere, to produce a lethal weapon. The Commerce Department is unlikely to make the same argument. The new regulations effectively condone and enable 3D printing of firearms around the world. By effectively eliminating many means to detect firearms, background checks on domestic sales and end-use controls on international exports for such weapons, this change could cause many preventable tragedies.

The Commerce Department does not have resources to enforce export controls, even before the addition of 10,000 firearms export license applicants as a result of this rule predicted by Commerce. The BIS's enforcement office, with no staff in Latin America, Africa, or many other parts of the world, is not equipped to take the same level of preventive measures for end-use controls. The State Department has developed extensive data, expertise and institutional relations to implement the Leahy Law for security assistance, which can serve as a critical foundation in both pre-license and post-shipment checks to control and verify end uses and end users. Commerce does not have these resources.

The rule would eliminate Congressional and public awareness of the total amount of firearms sales authorizations and deliveries around the world, since the Commerce Department annual reports currently only cover about 20 countries.

This rule would transfer gun export licensing to an agency whose principle mission is to promote trade. Firearms are uniquely and pervasively used in criminal violence around the world. Controlling their export should be handled by the State Department, which is mandated and structured to address the potential impacts in importing nations on stability, human security, conflict, and human rights.

Firearms are used to kill a thousand people every day around the world in acts of organized crime, political violence, terrorism, and human rights violations. Research indicates that the types of weapons being transferred to Commerce control, including AR-15, AK-47, and other military-style assault rifles and their ammunition, are weapons of choice for criminal organizations in Mexico and other Latin American countries that are responsible for most of the increasing and record levels of homicides in those countries. The export of these weapons should be subject to more controls, not less.

# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 2:23 PM
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<b>Posted:</b> July 13, 2018
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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0659

Public Comment 297. Individual. Joanne Neale. 7-3-18

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## Submitter Information

**Name:** Joanne Neale

**Address:**

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Needham Heights, MA, 02494

**Email:** jmneale@gmail.com

**Phone:** 7814443553

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## General Comment

I strongly oppose this rule change which favors the interests of gun manufacturers over the safety of Americans. With the rule change, Congress would no longer be automatically informed about sizable weapons sales that it could stop in the name of national security, even to countries where there are serious human rights concerns, such as the Philippines and Turkey.

Meanwhile, the Commerce Department just does not have the resources to adequately enforce export controls. Its Bureau of Industry and Security does not have staff everywhere. This means that firearms traffickers, organized crime, terrorist organizations, and other violent and dangerous agents would face far fewer hurdles to obtaining large caches of American guns and ammunition.

# PUBLIC SUBMISSION

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<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0663

Public Comment 298. Individual. Sue VanDerzee. 7-3-18

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## Submitter Information

**Name:** Sue VanDerzee

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**Phone:** 8603490777

**Fax:** 06416

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## General Comment

I oppose the rule change that would make arms sales regulated by the Department of Commerce rather than the Department of State, where the responsibility lies now. This seems to me a short-sighted rule change which would make it easier for people around the world to kill each other, and us. When American safety is the buzz word in Washington, DC, why would a rule that makes us less safe even be considered?

# PUBLIC SUBMISSION

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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0665

Public Comment 299. Individual. Patrick Bosold. 7-3-18

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## Submitter Information

**Name:** Patrick Bosold

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## General Comment

This rule is a really bad idea.

Switching the regulation of firearms exports from the State Department to the Commerce Department would facilitate firearms exports to oppressive regimes, remove safeguards that help keep extra-legal agents like organized crime and terrorist organizations from obtaining weapons, and further fuel violence that destabilizes countries and causes mass migration.

All that, just for the sake of increasing sales volume and profits for U.S. weapons manufacturers?

This is terrible public policy, domestically and internationally. Please drop this proposed rule.



# PUBLIC SUBMISSION

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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0666

Public Comment 300. Individual. Sharon Brown. 7-3-18

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## Submitter Information

**Name:** Sharon Brown

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## General Comment

There is enough gun violence in the US to prevent sales here. Why would we wish this on anyone else? Please help the world from becoming a more dangerous place and vote against the sale of military grade weapons to commercial markets. Thank you.

# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 2:41 PM
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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0672

Public Comment 301. Individual. roger schmidt. 7-3-18

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## Submitter Information

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Appleton, WI, 54911

**Email:** schmidtroger1000@hotmail.com

**Phone:** 920-358-7418

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## General Comment

more than a million! more than a million have died since John Lennon was murdered in 1980.it is way way to easy to get a gun! and it is way to easy for anyone with a gun to kill themselves or others when life has been hard for to long or when anger pushes them over there abillity to contain. or when a threat seams to be real, or after a bully beats them or scare them or pushes them in a cornner. or when you get your,re heart broken and sometimes over and over. then maybe you lose someone that was everything to you or more than one. or when you are older and life has not been good to you. or you are disabled and losing hope and your will to live. or when you lose everything that you loved. or when you are sick losing hope. or you come home and find your,re mate with another having sex. you lose your kids or wife or man. when you have lost your hope and feel soooo sad like it just doesn,t matter! THE HURT CAN BE TO THE POINT YOU LOSE CONTROL AND THERE IS A GUN ! YOU ARE NOT THINKING RIGHT AND JUST LIKE THAT BANG ITS OVER!

most that try to kill themself if they live would not do it again! most that have killed would never do it again!

EASY ACCESS TO A THING LIKE A GUN ! MAKES IT WAY WAY TO EASY TO DO THINGS YOU CAN NOT TAKE BACK AT A TIME WHEN YOU ARE NOT THINKING! NO ONE HAS EVERY THING GO RIGHT ALL THE TIME IN LIFE! ANYONE CAN BE PUSHED TO FAR OUR HURT THAT MUCH!

THE GUN MAKES IT WAY TO EASY!

# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 2:43 PM
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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0673

Public Comment 302. Anonymous. 7-3-18

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## Submitter Information

**Name:** Anonymous Anonymous

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## General Comment

The NRA and gun manufacturers want guns everywhere, for everyone, not just here in the United States, but around the world. They are pushing hard for a rule change that would move the handling of export licenses of semiautomatic assault weapons and other powerful firearms from the U.S. State Department (focused on safeguarding our nation) to the U.S. Commerce Department (focused on promoting American business).[1] This transfer of authority would open new floodgates for arms sales internationally, with serious implications for our national security.

1. It would eliminate the State Departments Blue Lantern program, in place since 1940, which carries out hundreds of pre-license and post-shipment inspections and publicly reports on them.[5]
2. It would remove licensing requirements for brokers, increasing the risk of trafficking.[6]
3. It would remove the State Departments block on the 3D printing of firearms. When Defense Distributed founder Cody Wilson posted online instructions for how to 3D print weapons, the State Department successfully charged him with violating arms export laws, since his open-source posting made it possible for anyone with access to a 3D printer, anywhere, to produce a lethal weapon. The rule switch would remove this block, effectively enabling 3D printing of firearms in the U.S. and around the globe.[7]

# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 2:44 PM
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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0675

Public Comment 303. Individual. Bill Holt. 7-3-18

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## Submitter Information

**Name:** Bill Holt

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## General Comment

I oppose this rule change that would switch the regulations of firearms export from the U.S. State Department to the U.S. Commerce Department. We need fewer guns killing people, not more.

# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 2:52 PM
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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0676

Public Comment 304. Individual. Lesley Boyland. 7-3-18

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## Submitter Information

**Name:** Lesley Boyland

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## General Comment

I am horrified to hear of a proposal to change the rules on the export licenses of semiautomatic assault weapons and other powerful firearms from being handled by the U.S. State Department to the U.S. Commerce Department. This transfer of authority would open new floodgates for arms sales internationally, with serious implications for our national security.

The Commerce Department does not have the resources to adequately enforce export controls. Its Bureau of Industry and Security does not have staff everywhere. This means that firearms traffickers, organized crime, terrorist organizations, and other violent and dangerous agents would face far fewer hurdles to obtaining large caches of American guns and ammunition.

I understand that firearms exports are classified as military. This is why they are under the regulation of the State Department, and why Congress can block sales of large batches of firearms to foreign countries. With the rule change, Congress would no longer be automatically informed about sizable weapons sales that it could stop in the name of national security, even to countries where there are serious human rights concerns.

Please, put our national security first and decline this alarming proposal.

# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 2:53 PM
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<b>Tracking No.</b> 1k2-942r-euot
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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0677

Public Comment 305. Anonymous. 7-3-18

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## Submitter Information

**Name:** Anonymous Anonymous

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## General Comment

I oppose this rule change. It is simply an attempt to give more profits to gun manufacturers and to expand the right-wing agenda to put guns into the hands of everyone. The Commerce Dept. is not equipped to provide oversight to these sales, and the Congress will not be adequately informed about how many guns are being shipped and where shipments will be sent.

Don't let this rule change go through. It makes everyone, everywhere, less safe.

# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 2:54 PM
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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0678

Public Comment 306. Individual. Patrick Reid. 7-3-18

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## Submitter Information

**Name:** Patrick Reid

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## General Comment

I strongly oppose switching the regulation of firearms exports from the State Department to the Commerce Department. This misguided change would facilitate firearms exports to oppressive regimes, remove safeguards that help keep weapons out of the hands of bad actors like organized crime and terrorist organizations, and further fuel violence that destabilizes countries

# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 3:00 PM
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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0679

Public Comment 307. Individual. Arwen Griffith. 7-3-18

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## Submitter Information

**Name:** Arwen Griffith

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## General Comment

I strongly oppose this rule change that would switch the regulations of firearms export from the U.S. State Department to the U.S. Commerce Department. Commerce should not be the primary driver in gun movement. Safety is much more important.



# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 3:01 PM
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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0680

Public Comment 308. Individual. Katherine Howard. 7-3-18

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## Submitter Information

**Name:** Katherine Howard

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## General Comment

I strongly oppose this rule change. Switching the regulation of firearms export from the US State Department to the US Department of Commerce is a bad idea.

# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 3:02 PM
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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0681

Public Comment 309. Individual. Robert Mutascio. 7-3-18

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## Submitter Information

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Venice, CA, 90291-5043

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## General Comment

This BENEFITS NO ONE except for gun manufacturers. And potentially HARMS many people. This is a very bad ruling.

# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 3:03 PM
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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0682

Public Comment 310. Individual. richard smith. 7-3-18

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## Submitter Information

**Name:** richard smith

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## General Comment

Do NOT change the rules by which firearms are sold overseas. They should continue to be sold as military hardware and regulated as they are now by the State Dept., NOT sold as civilian commodities such as clothing or produce. It's bad enough that we have inadequate regulations on firearms sales right here in the U.S.A, but now the firearms mfg. industry led by the NRA want to export our wild west disregard for the lethality of the barely regulated industry. Shame on us.

# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 3:04 PM
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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0683

Public Comment 311. Individual. Robert Jensen. 7-3-18

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## Submitter Information

**Name:** Robert Jensen

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**Phone:** 3604562228

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## General Comment

I, Robert Jensen, a citizen of the United States, believe the Second Amendment to the Constitution, limits the right to bear arms to a militia, such as the National Guard, or private, or public police. This amendment was never intended to be used by individuals for self-defense, or killing people. If so, this is contrary to the Ten Commandments of the Bible. The United States has one of the highest number of murders per capita/per year on Earth. Nearly all countries ban the private use of guns.

The recent decision by the United States Supreme Court, allowing guns for self-defense was wrongly decided; and conflicts with prior precedent.

Until this decision is overturned, I am in favor of strict controls, such as: banning assault rifles; automatic, and semi-automatic weapons, and bump stocks; mandatory, and complete background checks; requirement to have standard prior training in the use of guns; and mandatory storage of guns, to prevent the killing of innocent people.

Thank you for this opportunity to comment.

# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 3:16 PM
<b>Received:</b> July 03, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 13, 2018
<b>Tracking No.</b> 1k2-942r-vztx
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0684

Public Comment 312. Individual. Kevin Crupi. 7-3-18

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## Submitter Information

**Name:** Kevin Crupi

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## General Comment

I oppose this proposed rule change that would switch the regulations of firearms export from the U.S. State Department to the U.S. Commerce Department.

The NRA and gun manufacturers want guns everywhere, for everyone, not just here in the United States, but around the world. They are pushing hard for a rule change that would move the handling of export licenses of semiautomatic assault weapons and other powerful firearms from the U.S. State Department (focused on safeguarding our nation) to the U.S. Commerce Department (focused on promoting American business). This transfer of authority would open new floodgates for arms sales internationally, with serious implications for our national security.

In fact, the Commerce Department just does not have the resources to adequately enforce export controls. Its Bureau of Industry and Security does not have staff everywhere. This means that firearms traffickers, organized crime, terrorist organizations, and other violent and dangerous agents would face far fewer hurdles to obtaining large caches of American guns and ammunition.

Additionally, switching the regulation of firearms exports from the State Department to the Commerce Department would facilitate firearms exports to oppressive regimes, remove safeguards that help keep extra-legal agents like organized crime and terrorist organizations from obtaining weapons, and further fuel violence that destabilizes countries and causes mass migration. All these represent threats to U.S. national security.

I urge you to oppose this proposed rule change.

# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 3:29 PM
<b>Received:</b> July 03, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 13, 2018
<b>Tracking No.</b> 1k2-942r-sm6m
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0685

Public Comment 313. Anonymous.. 7-3-18

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## Submitter Information

**Name:** Anonymous Anonymous

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## General Comment

I oppose moving the regulations of firearms export away from the U.S. State Department.

Switching the regulation of firearms exports from the State Department to the Commerce Department would make it easier for guns to end up in the hands of those outside of the law like organized crime and terrorist organizations and enemy regimes. It would further fuel violence that destabilizes countries and causes mass migration.

Selling guns outside of the US is NOT business as usual and must be monitored by expertise of the State Dept.

# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 3:30 PM
<b>Received:</b> July 03, 2018
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<b>Posted:</b> July 13, 2018
<b>Tracking No.</b> 1k2-942r-9ppi
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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0686

Public Comment 314. Individual. Roger Wess. 7-3-18

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## Submitter Information

**Name:** Roger Wess

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## General Comment

The Department of State needs to control the sale of arms out of this country, not the Department of Commerce.

# PUBLIC SUBMISSION

<b>As of:</b> 7/13/18 3:30 PM
<b>Received:</b> July 03, 2018
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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-0687

Public Comment 315. Anonymous. 7-3-18

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## Submitter Information

**Name:** Anonymous Anonymous

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## General Comment

This seems like a dangerous threat to our national security. I am against changes to this regulation.



# PUBLIC SUBMISSION

<b>As of:</b> 7/16/18 9:55 AM
<b>Received:</b> July 03, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 16, 2018
<b>Tracking No.</b> 1k2-942r-1kz3
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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1071

Public Comment 316. Individual. Henry Lewis. 7-3-18

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## Submitter Information

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## General Comment

As an American teacher and someone who cares deeply about ending random violence and human rights abuses around the world, I firmly OPPOSE the rule change that would move the handling of export licenses for semiautomatic assault weapons and other powerful firearms from the U.S. State Department to the U.S. Commerce Department. Personally, I don't trust American weapons manufacturers to be ethical when it comes to such foreign sales. In addition, the Commerce Department isn't structure to handle proper oversight of such sales.

Making it easier for weapons manufacturers to sell their wares without the oversight of the US Congress is insanity and flies in the face of everything the Trump administration says about trying to keep the Homeland safe from foreign terror and gang threats. Investigations have shown that many of the weapons used in drug and terror related crimes in Latin America (where I'm currently living and teaching) already originate in the USA. Taking away Congress's and the US State Department's oversight of large sales of semi-automatic weapons will only increase the violence in countries where human rights abuses are now common place. This, in turn, will cause more refugees to flee violence-plagued countries and attempt to cross into the USA illegally.

Isn't anyone in Washington, D. C. these days able to use critical thinking skills and connect the dots. The violence always makes it's way back to (and inside) America's borders.

I urge you to reject this rule change!

# PUBLIC SUBMISSION

<b>As of:</b> 7/16/18 9:56 AM
<b>Received:</b> July 03, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 16, 2018
<b>Tracking No.</b> 1k2-942r-7uka
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1072

Public Comment 317. Individual. Robin Walden. 7-3-18

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## Submitter Information

**Name:** Robin Walden

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## General Comment

Firearms are dangerous. They are used to kill people every day around the world in acts of organized crime, political violence, terrorism, and human rights violations. They should be subject to more controls, not less! It is unthinkable that the US would be considering promoting the sale of assault weapons world-wide.

# PUBLIC SUBMISSION

<b>As of:</b> 7/16/18 9:57 AM
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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1073

Public Comment 318. Individual. Cheryl Farmer MD. 7-3-18

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## Submitter Information

**Name:** Cheryl Farmer MD

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## General Comment

Friends, I write in OPPOSITION to a rules change that would move the handling of export licenses of semiautomatic assault weapons and other powerful firearms from the U.S. State Department to the U.S. Commerce Department. This transfer of authority would facilitate vastly increased sales of arms internationally, with serious implications for our national security. Such a policy could lead to an unfortunate future situation where our own combat troops face troublemakers armed with American made weaponry. This would be an unacceptable outcome! Please maintain the status quo on this issue, as current regulations have been effective for decades.

# PUBLIC SUBMISSION

<b>As of:</b> 7/16/18 9:58 AM
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<b>Posted:</b> July 16, 2018
<b>Tracking No.</b> 1k2-942r-vvg4
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1074

Public Comment 319. Anonymous. 7-3-18

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## Submitter Information

**Name:** Anonymous Anonymous

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## General Comment

In regard to human life and the safety of our country we need to keep the sale of all assault weapons and all firearms under the U.S. State Department and not allow it to be transferred to the U.S. Commerce Department.

# PUBLIC SUBMISSION

<b>As of:</b> 7/16/18 9:59 AM
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<b>Posted:</b> July 16, 2018
<b>Tracking No.</b> 1k2-942r-ufn1
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1075

Public Comment 320. Individual. Peter Mattison. 7-3-18

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## Submitter Information

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**Phone:** 6179011798

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## General Comment

I oppose this rule change that would move regulations of firearms export from the U.S. State Department to the U.S. Commerce Department. Firearms are dangerous, and are used daily to kill people globally via organized crime, political violence, and terrorism. Their management is a matter of national security, not business. Don't prioritize the interests of the NRA and gun manufacturers over the safety and well-being of the citizens of this country.

# PUBLIC SUBMISSION

<b>As of:</b> 7/16/18 3:02 PM
<b>Received:</b> July 03, 2018
<b>Status:</b> Pending_Post
<b>Tracking No.</b> 1k2-942r-s9jx
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-DRAFT-0756

Public Comment 321. Individual. Kristy Johnson. 7-3-18

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## Submitter Information

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**Phone:** 208-618-9549

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## General Comment

You have to be kidding me! If there was EVER a time in human history, that the manufacture and sale of firearms & ammunition needs serious oversight, it is now. Tell the NRA NO, not only NO, bur HELL NO!!

# PUBLIC SUBMISSION

<b>As of:</b> 7/16/18 10:01 AM
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<b>Posted:</b> July 16, 2018
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<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1076

Public Comment 322. Individual. Linda Carroll. 7-3-18

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## Submitter Information

**Name:** Linda Carroll

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## General Comment

I oppose the transfer of authority over the export of guns from the Department of State to the Department of Commerce. Guns involve many factors that put them out of the realm of simple commerce.

# PUBLIC SUBMISSION

<b>As of:</b> 7/16/18 10:02 AM
<b>Received:</b> July 03, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 16, 2018
<b>Tracking No.</b> 1k2-942r-g31a
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1077

Public Comment 323. Individual. Peter Reynolds. 7-3-18

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## Submitter Information

**Name:** Peter Reynolds

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## General Comment

I oppose the rules change that would move the handling of export licenses of semiautomatic assault weapons and other powerful firearms from the U.S. State Department to the U.S. Commerce Department. This transfer of authority would open new floodgates for arms sales internationally, with serious implications for our national security.

Right now, firearms exports are classified as military. This is why they are under the regulation of the State Department, and why Congress can block sales of large batches of firearms to foreign countries. With the rule change, Congress would no longer be automatically informed about sizable weapons sales that it could stop in the name of national security, even to countries where there are serious human rights concerns, such as the Philippines and Turkey.

Meanwhile, the Commerce Department just does not have the resources to adequately enforce export controls. Its Bureau of Industry and Security does not have staff everywhere. This means that firearms traffickers, organized crime, terrorist organizations, and other violent and dangerous agents would face far fewer hurdles to obtaining large caches of American guns and ammunition.

This rules change benefits the NRA, not American National Security! I oppose it.



# PUBLIC SUBMISSION

<b>As of:</b> 7/16/18 10:07 AM
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<b>Posted:</b> July 16, 2018
<b>Tracking No.</b> 1k2-942r-q41p
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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1078

Public Comment 324. Individual. Lari Tiller Howell. 7-3-18

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## Submitter Information

**Name:** Lari Tiller Howell

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## General Comment

I understand that the NRA is pushing for a rule change that would move the handling of export licenses of semiautomatic assault weapons and other powerful firearms from the U.S. State Department (focused on safeguarding our nation) to the U.S. Commerce Department (focused on promoting American business).[1] This transfer of authority would open new floodgates for arms sales internationally, with serious implications for our national security.

I fear that this would be the undoing of civilizing as we know it. At this point in history, with record unrest, human migration and displacement, adding more arms is disaster to the common man. Governments cannot win, peace cannot win, humanity cannot win. Changing the overseeing cabinet depart from the State to the Commerce department can only be for the purpose of selling death.

All it will do is control population growth. ZPG

# PUBLIC SUBMISSION

<b>As of:</b> 7/16/18 10:07 AM
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<b>Posted:</b> July 16, 2018
<b>Tracking No.</b> 1k2-942r-ko17
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1079

Public Comment 325. Individual. Pamela LaRue. 7-3-18

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## Submitter Information

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## General Comment

For national security reasons, control and approval of arms sales abroad must remain under the purview of the Department of State.

# PUBLIC SUBMISSION

<b>As of:</b> 7/16/18 10:08 AM
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<b>Status:</b> Posted
<b>Posted:</b> July 16, 2018
<b>Tracking No.</b> 1k2-942r-kg60
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1080

Public Comment 326. Anonymous. 7-3-18

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## Submitter Information

**Name:** Anonymous Anonymous

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## General Comment

I oppose this rule change that would switch the regulations of firearms export from the U.S. State Department to the U.S. Commerce Department. The US State Department is better equipped to keep in mind the security of the USA.

# PUBLIC SUBMISSION

<b>As of:</b> 7/16/18 10:09 AM
<b>Received:</b> July 03, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 16, 2018
<b>Tracking No.</b> 1k2-942r-mv0z
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1081

Public Comment 327. Individual. Hildy Feen. 7-3-18

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## Submitter Information

**Name:** Hildy Feen

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## General Comment

I strongly oppose the rule change that would move the handling of export licenses of semiautomatic assault weapons and other powerful firearms from the U.S. State Department (focused on safeguarding our nation) to the U.S. Commerce Department (focused on promoting American business). This transfer of authority would open new floodgates for arms sales internationally, with serious implications for our national security. Below are more reasons why the proposed rule change should not be approved:

It would eliminate the State Departments Blue Lantern program, in place since 1940, which carries out hundreds of pre-license and post-shipment inspections and publicly reports on them.

It would remove licensing requirements for brokers, increasing the risk of trafficking.

It would remove the State Departments block on the 3D printing of firearms. When Defense Distributed founder Cody Wilson posted online instructions for how to 3D print weapons, the State Department successfully charged him with violating arms export laws, since his open-source posting made it possible for anyone with access to a 3D printer, anywhere, to produce a lethal weapon. The rule switch would remove this block, effectively enabling 3D printing of firearms in the U.S. and around the globe.

It would impact our national security by facilitating firearms exports to oppressive regimes, removing safeguards that help keep extra-legal agents like organized crime and terrorist organizations from obtaining weapons, and further fueling violence that destabilizes countries and causes mass migration.

The world needs less firearms, not more.

Humanity needs less killing, not more.

# PUBLIC SUBMISSION

<b>As of:</b> 7/16/18 10:10 AM
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<b>Status:</b> Posted
<b>Posted:</b> July 16, 2018
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<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1082

Public Comment 328. Individual. C. Warren Pope. 7-3-18

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## Submitter Information

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## General Comment

This relaxation in export rules for firearms is ridiculous and must be defeated. More guns means more death and more murders. Don't we have enough trouble in the US?

# PUBLIC SUBMISSION

<b>As of:</b> 7/16/18 10:11 AM
<b>Received:</b> July 03, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 16, 2018
<b>Tracking No.</b> 1k2-942r-5k0o
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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1083

Public Comment 329. Individual. Allan Campbell. 7-3-18

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## Submitter Information

**Name:** Allan Campbell

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## General Comment

I oppose this rule because it would allow more firearms. Because the regulations should not be changed to the Commerce department.

# PUBLIC SUBMISSION

<b>As of:</b> 7/16/18 10:12 AM
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<b>Posted:</b> July 16, 2018
<b>Tracking No.</b> 1k2-942r-pvkb
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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1084

Public Comment 330. Individual. Mary Steele. 7-3-18

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## Submitter Information

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## General Comment

This proposed rule change would make the world a far more dangerous place: and It would eliminate the State Departments Blue Lantern program, in place since 1940, which carries out hundreds of pre-license and post-shipment inspections and publicly reports on them. It would remove licensing requirements for brokers, increasing the risk of trafficking. It would remove the State Departments block on the 3D printing of firearms. When Defense Distributed founder Cody Wilson posted online instructions for how to 3D print weapons, the State Department successfully charged him with violating arms export laws, since his open-source posting made it possible for anyone with access to a 3D printer, anywhere, to produce a lethal weapon. The rule switch would remove this block, effectively enabling 3D printing of firearms in the U.S. and around the globe

Who is to say that the increased gun shipments to foreign countries wouldn't be used against our country, decreasing our national security. The rule change's only purpose is to enhance the profit of the gun manufacturers.

# PUBLIC SUBMISSION

<b>As of:</b> 7/16/18 10:13 AM
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<b>Tracking No.</b> 1k2-942r-7g14
<b>Comments Due:</b> July 09, 2018
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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1085

Public Comment 331. Individual. James Roberts. 7-3-18

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## Submitter Information

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**Phone:** 2148372465

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## General Comment

Recently proposed, suggestion is a tragedy to humankind- expanding USAs reputation as merchant of death to civilians. Bad enough America is already known for it in military weapons.

Gun manufactures, NRA and others are pushing hard for a rule change that would move the handling of export licenses of semiautomatic assault weapons and other powerful firearms from the U.S. State Department (focused on safeguarding our nation) to the U.S. Commerce Department (focused on promoting American business).[1] This transfer of authority would open new floodgates for arms sales internationally, with serious implications for our national security.

Everything coming out of this administration- coal to soybeans, to auto parts, to steel is labeled national security when true be told its corporate socialism and another white collar federally funded jobs program.

Export of weapons (all types, make, model, purpose) need to remain with State department not commerce.



# PUBLIC SUBMISSION

<b>As of:</b> 7/16/18 10:13 AM
<b>Received:</b> July 03, 2018
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<b>Posted:</b> July 16, 2018
<b>Tracking No.</b> 1k2-942r-3jxd
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1086

Public Comment 332. Individual. Andrea Hicklin. 7-3-18

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## Submitter Information

**Name:** Andrea Hicklin

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## General Comment

The suggestion to move international gun sales away from the State department's control is painfully, ludicrously, dramatically, and objectively a TERRIBLE idea. We would no longer have any knowledge of weaponry sold to our enemies in terrorist organizations. It would make our country LESS safe. This is arguably the stupidest idea I've ever heard.

# PUBLIC SUBMISSION

<b>As of:</b> 7/16/18 10:14 AM
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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1087

Public Comment 333. Individual. Jody Benson. 7-3-18

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## Submitter Information

**Name:** Jody Benson

**Address:**

3547 Pueblo Dr  
Los Alamos, NM, 87544

**Email:** echidnaejb@gmail.com

**Phone:** 505-662-4782

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## General Comment

As a gun owner, former hunter, and former ARCAO (Korea: Camp Henry, Camp Humphries, Camp Casey 71/72 when these bases were primitive), I oppose the rule change that would switch the regulations of firearms export from the U.S. State Department to the U.S. Commerce Department. I do not want weapons in the hands of terrorists and criminals in other countries that can be used, not only against their own people, but against Americans abroad.

Ive travelled the world and been in many conflict zones, including Afghanistan. The lawlessness of these areas is exacerbated by the fact that everybody owns a weapon. Small arms and light weapons are the preferred weapon of these small-time bullies, drug dealers, and cartels, as well as big-time terrorists like ISIS, al-Qaeda, al-Shabaab, Boko Haram.

Making light weapons (the definition includes: revolvers and self-loading pistols, rifles and carbines, assault rifles, sub-machine guns and light machine guns) available as a commodity anybody can order without any restrictions over the internet, makes it easy for small arms dealers to buy and resell these weapons, the favorites of terrorists, criminals, and drug dealers. We dont want American criminals to have these weapons. Lets not loose them on innocent civilians around the world. Say no to any loosening of any restrictions of exporting weapons. Dont be tone deaf to American values. Americans dont want more foreign threats, any more than we want more communities disrupted by gun violence. Make it harder for these terrorists to get guns, not easier. Keep cheap guns out of the hands of these bullies. Keep American government workers, international corporate workers, and tourists safe from criminals. People over profit.



# PUBLIC SUBMISSION

<b>As of:</b> 7/16/18 10:15 AM
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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1088

Public Comment 334. Individual. Rinya Frisbie. 7-3-18

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## Submitter Information

**Name:** Rinya Frisbie

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Canby, OR, 97013

**Email:** jimandrinya@canby.com

**Phone:** 5032669100

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## General Comment

I am strongly opposed to the proposed rule change that would transfer the oversight of non-military firearms exports from the State Department to the Commerce Department. The proposed rule is supported by the NRA and the only purpose is to increase the profits for the US gun industry--one that loosing support in the USA. The only entity that is requesting this change is the gun lobby and it expects this change will increase firearms exports by 20%. This will put more guns in the hands of terrorists around the world. It is even more dangerous because it moves supervision and oversize to an agency that prioritizes business over national security. The U.S. Congress would also lose its ability to oversee commercial weapons sales of \$1 million or more; this makes no sense. This seems like one more attempt to legitimize semiautomatic assault rifles as civilian products when these battlefield weapons have killed too many civilians already. Please do not approve this blatant corporate giveaway. The world does not need more instruments of mass killing--only the gun lobby would think this is a good idea. We the people are watching as you make these decisions. Please make them wisely as you will be accountable.

# PUBLIC SUBMISSION

<b>As of:</b> 7/16/18 10:16 AM
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<b>Posted:</b> July 16, 2018
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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1089

Public Comment 335. Individual. Susan Briggs. 7-3-18

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## Submitter Information

**Name:** Susan Briggs

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## General Comment

I oppose this rule change that would switch the regulations of firearms export from the U.S. State Department to the U.S. Commerce Department. This transfer of authority would open new floodgates for arms sales internationally, with serious implications for our national security. With the rule change, Congress would no longer be automatically informed about sizable weapons sales that it could stop in the name of national security, even to countries where there are serious human rights concerns, such as the Philippines and Turkey. Firearms traffickers, organized crime, terrorist organizations, and other violent and dangerous agents would face far fewer hurdles to obtaining large caches of American guns and ammunition.

This rule would also remove the State Departments block on the 3D printing of firearms, made it possible for anyone with access to a 3D printer, anywhere, to produce a lethal weapon. The rule switch would remove this block, effectively enabling 3D printing of firearms in the U.S. and around the globe.

# PUBLIC SUBMISSION

<b>As of:</b> 7/16/18 10:17 AM
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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1090

Public Comment 336. Individual. Megan Condit-Chadwick. 7-3-18

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## Submitter Information

**Name:** Megan Condit-Chadwick

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## General Comment

I strongly oppose this rule change that would switch the regulations of firearms export from the U.S. State Department to the U.S. Commerce Department. Congress needs oversight of arms sales in order to ensure that the U.S. is not arming countries with human rights violations and those that may threaten our national security. The ban on 3D printing of weapons needs to stay in place. Thank you.

# PUBLIC SUBMISSION

<b>As of:</b> 7/16/18 10:18 AM
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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1091

Public Comment 337. Individual. Frank Hannwacker. 7-3-18

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## Submitter Information

**Name:** Frank Hannwacker

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## General Comment

I oppose this rule change that would switch the regulations of firearms exports from the U. S. State Dept to the U.S Commerce Dept

# PUBLIC SUBMISSION

<b>As of:</b> 7/16/18 10:19 AM
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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1092

Public Comment 338. Anonymous. 7-3-18

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## Submitter Information

**Name:** Anonymous Anonymous

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## General Comment

Switching the regulation of firearms exports from the State Department to the Commerce Department would facilitate firearms exports to oppressive regimes, remove safeguards that help keep extra-legal agents like organized crime and terrorist organizations from obtaining weapons, and further fuel violence that destabilizes countries and causes mass migration. It is unwise to increase access to these weapons domestically or internationally. I very much oppose this rule change, as it would do much more harm than good.



# PUBLIC SUBMISSION

<b>As of:</b> 7/16/18 10:20 AM
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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1093

Public Comment 339. Anonymous. 7-3-18

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## Submitter Information

**Name:** Anonymous Anonymous

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## General Comment

Here are details on how the rule change would make the world a far more dangerous place:

It would eliminate the State Departments Blue Lantern program, in place since 1940, which carries out hundreds of pre-license and post-shipment inspections and publicly reports on them.[5]

It would remove licensing requirements for brokers, increasing the risk of trafficking.[6]

It would remove the State Departments block on the 3D printing of firearms. When Defense Distributed founder Cody Wilson posted online instructions for how to 3D print weapons, the State Department successfully charged him with violating arms export laws, since his open-source posting made it possible for anyone with access to a 3D printer, anywhere, to produce a lethal weapon. The rule switch would remove this block, effectively enabling 3D printing of firearms in the U.S. and around the globe.[7]

It would totally nullify the ability of the US to keep from arming dangerous foreign nationals, thereby making attacks on US soil far more likely.

This stupid idea to enrich the already rich arms dealers boggles the imagination!

# PUBLIC SUBMISSION

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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1203

Public comment 340. Individual. Elizabeth Bartlett-7-6-18

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## Submitter Information

**Name:** Elizabeth Bartlett

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## General Comment

I strenuously object to any action of my government that makes the distribution of military style weapons - or for that matter ANY weapons - easier than it currently is. Our nation does not need to be exporting the violence that our gun culture causes here to infest other nations. The current proposal to shift control to the Commerce Department blatantly prioritizes gun dealer and manufacturer profit over civilization and safety.

The current proposal:

- Treats semi-automatic assault rifles as non-military, despite their use by U.S. troops, their use by state and non-state groups in armed conflicts, and their prohibition for civilian possession in many countries.
- Eliminates Congressional oversight for important gun export deals.
- Transfers the cost of processing licenses from gun manufacturers to taxpayers.
- Removes statutory license requirements for brokers, increasing risk of trafficking.
- Reduces or eliminates end-use controls, such as State Depts Blue Lantern program, and by eliminating registration of firearms exporters, a requirement since the 1940s.
- Enables unchecked gun production in the U.S. and exports abroad by removing the block on 3D printing of firearms.
- The Commerce Department does not have the resources to enforce export controls, even now.
- Reduces transparency and reporting on gun exports.
- Transfers gun export licensing from an agency with mission to promote stability, conflict reduction, and human rights, to an agency with mission to promote trade.

I do not want my country to stand before the world as preferring money to human rights!

# PUBLIC SUBMISSION

<b>As of:</b> 7/16/18 2:20 PM
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<b>Posted:</b> July 16, 2018
<b>Tracking No.</b> 1k2-944k-4axd
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1202

Public comment 341. Individual. Mae Harms. 7-6-18

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## Submitter Information

**Name:** Mae Harms

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Garden Valley, CA, 95633

**Email:** maeharms76@hotmail.com

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## General Comment

The firearms in the USA need to be controlled so that people with mental illness or raging tempers do not have easy access to them and maim and kill innocent people.

# PUBLIC SUBMISSION

<b>As of:</b> 7/16/18 2:18 PM
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<b>Status:</b> Posted
<b>Posted:</b> July 16, 2018
<b>Tracking No.</b> 1k2-944k-gw38
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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1201

Public comment 342. Individual. Bill Holt. 7-6-18

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## Submitter Information

**Name:** Bill Holt

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## General Comment

Do not allow the export of more firearms. The world is already bleeding from US made firearms.

# PUBLIC SUBMISSION

<b>As of:</b> 7/16/18 2:17 PM
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<b>Tracking No.</b> 1k2-944k-q3fs
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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1200

Public comment 343. Anonymous. 7-6-18

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## Submitter Information

**Name:** Anonymous Anonymous

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## General Comment

I strongly oppose the proposed rule change. It treats semi-automatic assault rifles as non-military, despite their use by U.S. troops, their use by state and non-state groups in armed conflicts, and their prohibition for civilian possession in many countries. In addition, it eliminates Congressional oversight for important gun export deals and transfers the cost of processing licenses from gun manufacturers to taxpayers.

The Commerce Department does not have the resources to enforce export controls, even now, and this proposed rule change would transfer gun export licensing from an agency with a mission to promote stability, conflict reduction, and human rights, to an agency with a mission to promote trade. (!)

Please do not approve this rule change. Thank you.

# PUBLIC SUBMISSION

<b>As of:</b> 7/16/18 2:16 PM
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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1199

Public comment 344. Individual. Elizabeth Hjelmseth. 7-6-18

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## Submitter Information

**Name:** Elizabeth Hjelmseth

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Bellingham, WA, 98229

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**Phone:** 3603039504

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## General Comment

I strongly oppose moving gun control to the commerce department. In a world filled with evil people who are more than willing to do harm to the US it is imperative that we control which players have access to small munitions.

# PUBLIC SUBMISSION

<b>As of:</b> 7/16/18 2:15 PM
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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1198

Public comment 345. Individual. Donna Schmidt. 7-6-18

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## Submitter Information

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Farmers Branch, TX, 75234

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**Phone:** +9723100755

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## General Comment

I could not be more vehemently opposed to this!! Making it easier for people around the world to have dangerous weapons is, at the least, counterintuitive!! We are already suffering from our mistakes with guns being trafficked to Mexico and Latin America, resulting in the migration of those seeking asylum in the U.S. to escape the violence of gangs and cartels. Let's learn from these and other mistakes, such as arming the Afghans many years ago!

# PUBLIC SUBMISSION

<b>As of:</b> 7/16/18 2:14 PM
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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1197

Public comment 346. Individual. Lynne Walter, MSW. 7-6-18

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## Submitter Information

**Name:** Lynne Walter, MSW

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## General Comment

I STRONGLY oppose this rule change that would switch the regulations of firearms export from the U.S. State Department to the U.S. Commerce Department! This switch makes absolutely no sense, will only increase gun violence in the United States, and reeks of favoritism towards the NRA.



# PUBLIC SUBMISSION

<b>As of:</b> 7/16/18 2:12 PM
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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1196

Public comment 347. Individual. Terri Cole. 7-6-18

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## Submitter Information

**Name:** Terri Cole

**Address:** United States,

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## General Comment

I oppose this rule change that would switch the regulations of firearms export from the U.S. State Department to the U.S. Commerce Department. Guns should not be about commerce and profits!

# PUBLIC SUBMISSION

<b>As of:</b> 7/16/18 2:11 PM
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<b>Posted:</b> July 16, 2018
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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1195

Public comment 348. Anonymous. 7-6-18

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## Submitter Information

**Name:** Anonymous Anonymous

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## General Comment

I oppose this rule change that would switch the regulations of firearms export from the U.S. State Department to the U.S.

Commerce Department. This will just allow more guns to be sold to countries that we have no way of knowing where they will eventually end up.

# PUBLIC SUBMISSION

<b>As of:</b> 7/16/18 2:10 PM
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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1194

Public comment 349. Individual. Erin Reed. 7-6-18

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## Submitter Information

**Name:** Erin Reed

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## General Comment

I am absolutely against this. This is a complete threat to national security. DO NOT allow this to happen

# PUBLIC SUBMISSION

<b>As of:</b> 7/16/18 2:06 PM
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<b>Status:</b> Posted
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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1193

Public comment 350. Individual. Linda Morgan. 7-6-18

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## Submitter Information

**Name:** Linda Morgan

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Ocean View, HI, 96737

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**Phone:** 8087852058

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## General Comment

I oppose this rule change! It's unacceptable and horrible to have so much gun violence in America. We definitely should not make it easier to export guns and increase gun violence throughout the world.

# PUBLIC SUBMISSION

<b>As of:</b> 7/16/18 2:04 PM
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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1192

Public comment 351. Individual. Inge Johnsson. 7-6-18

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## Submitter Information

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**Phone:** 4254959241

**Fax:** 75034

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## General Comment

I am very concerned about the proposed change to easier to spread murder weapons legally across the world, just because the gun industry wants to make more profit. This is not in our interest as a nation, to be complicit in increasing homicide rates abroad. Some of the reasons to not approve this proposed rule change are:

- 1) Treats semi-automatic assault rifles as non-military, despite their use by U.S. troops, their use by state and non-state groups in armed conflicts, and their prohibition for civilian possession in many countries.
- 2) Eliminates Congressional oversight for important gun export deals.
- 3) Transfers the cost of processing licenses from gun manufacturers to taxpayers.
- 4) Removes statutory license requirements for brokers, increasing risk of trafficking.
- 5) Reduces or eliminates end-use controls, such as State Depts Blue Lantern program, and by eliminating registration of firearms exporters, a requirement since the 1940s.
- 6) Enables unchecked gun production in the U.S. and exports abroad by removing the block on 3D printing of firearms.
- 7) The Commerce Department does not have the resources to enforce export controls, even now.
- 8) Reduces transparency and reporting on gun exports.
- 9) Transfers gun export licensing from an agency with mission to promote stability, conflict reduction, and human rights, to an agency with mission to promote trade.

Thanks for this opportunity to share my views as a citizen and voter, and to allow me to express my desire to

make the world a safer place, not one where firearms end the lives of thousands every year.

# PUBLIC SUBMISSION

<b>As of:</b> 7/16/18 2:03 PM
<b>Received:</b> July 06, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 16, 2018
<b>Tracking No.</b> 1k2-944l-wfaa
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1191

Public comment 352. Individual. Judith Weeks. 7-6-18

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## Submitter Information

**Name:** Judith Weeks

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## General Comment

I strongly OPPOSE switching the regulation of firearms exports from the State Department to the Department of Commerce. It would remove the State Department's ability to restrict 3D printing of weapons and open the floodgates for more weapons domestically and internationally; It would remove licensing requirements for brokers; and it would stop the program that inspects pre-license guns and issues reports. Without the State Department oversight and regulatory authority, firearms will be exported to anyone with money and contribute to organized crime and terrorism.

There is NO need to switch control of the export of firearms unless it is to pay for firearms lobbyists. This is just another ruse by the NRA to gain more control and have less oversight into their actions. PLEASE DO NOT APPROVE THIS MOVE.

Sincerely, a concerned citizen

Judith Weeks

Morrison, CO

# PUBLIC SUBMISSION

<b>As of:</b> 7/16/18 2:02 PM
<b>Received:</b> July 06, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 16, 2018
<b>Tracking No.</b> 1k2-944l-3b6h
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1190

Public comment 353. Individual. James Waddell. 7-6-18

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## Submitter Information

**Name:** James Waddell

**Address:**

7806 SW Village Greens Circle

Wilsonville, OR, 97070

**Email:** jmwaddell03@yahoo.com

**Phone:** 5036948085

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## General Comment

All Firearms in this Country need to be CONTROLLED!



# PUBLIC SUBMISSION

<b>As of:</b> 7/16/18 2:01 PM
<b>Received:</b> July 06, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 16, 2018
<b>Tracking No.</b> 1k2-944l-xdvw
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1189

Public comment 354. Individual. Arnold Haber. 7-6-18

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## Submitter Information

**Name:** Arnold Haber

**Address:**

4800 Steiner Ranch Blvd.  
Austin, TX, 78732

**Email:** arne@arnoldhaber.com

**Fax:** 78732

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## General Comment

Continue warrant control

# PUBLIC SUBMISSION

<b>As of:</b> 7/16/18 1:59 PM
<b>Received:</b> July 06, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 16, 2018
<b>Tracking No.</b> 1k2-944l-6buc
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1188

Public comment 355. Individual. Meghan E. 7-6-18

---

## Submitter Information

**Name:** Meghan E

**Address:**

[Select A State], 06053

**Email:** meghane2006@gmail.com

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## General Comment

Keep guns off the streets. Countries like Australia and Japan have banned the sales of guns and have almost no gun crime. Gun violence is a terrible American epidemic. We can prevent everyday gun deaths. Let's start now.

# PUBLIC SUBMISSION

<b>As of:</b> 7/16/18 1:58 PM
<b>Received:</b> July 06, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 16, 2018
<b>Tracking No.</b> 1k2-944l-qz0a
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1187

Public comment 356. Individual. Lauren Wade. 7-6-18

---

## Submitter Information

**Name:** Lauren Wade

**Address:**

210 McPherson Ave

Ironton, OH, 45638-1116

**Email:** lwade5309@gmail.com

**Phone:** 7406469558

---

## General Comment

I Am Strongly Opposing This Idea With Guns. We Need Stronger Gun Laws That Will Help With Domestic Violence And School Safety

# PUBLIC SUBMISSION

<b>As of:</b> 7/16/18 1:56 PM
<b>Received:</b> July 06, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 16, 2018
<b>Tracking No.</b> 1k2-944l-eucp
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1186

Public comment 357. Individual. Dave Frank. 7-6-18

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## Submitter Information

**Name:** Dave Frank

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## General Comment

People want common sense gun regulations.

# PUBLIC SUBMISSION

<b>As of:</b> 7/16/18 1:55 PM
<b>Received:</b> July 06, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 16, 2018
<b>Tracking No.</b> 1k2-944l-9n33
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1185

Public comment 358. Individual. Barbara Caiola. 7-6-18

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## Submitter Information

**Name:** Barbara Caiola

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## General Comment

Impose safer background availability. Just do the right thing.

# PUBLIC SUBMISSION

<b>As of:</b> 7/16/18 1:54 PM
<b>Received:</b> July 06, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 16, 2018
<b>Tracking No.</b> 1k2-944l-6oeh
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1184

Public comment 359. Individual. Gina Bates. 7-6-18

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## Submitter Information

**Name:** Gina Bates

**Address:**

40 South St

Apple Creek, OH, 44606

**Email:** star3609@aol.com

**Phone:** 3306986195

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## General Comment

I STRONGLY OPPOSE this rule change that would switch the regulations of firearms export from the U.S. State Department to the U.S. Commerce Department!

This must be BLOCKED. Keep the CURRENT rules in place.

# PUBLIC SUBMISSION

<b>As of:</b> 7/16/18 1:50 PM
<b>Received:</b> July 06, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 16, 2018
<b>Tracking No.</b> 1k2-944l-9ifd
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1183

Public comment 360. Individual. Robert Stewart. 7-6-18

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## Submitter Information

**Name:** Robert Stewart

**Address:**

13576 Melville Lane  
Chantilly, 20151-2492

**Email:** grobertstewart1@mac.com

**Phone:** 7038190479

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## General Comment

Background checks of all gun purchases should be mandatory, a sine qua non. Also, all assault type weapons should be banned.

# PUBLIC SUBMISSION

<b>As of:</b> 7/16/18 1:49 PM
<b>Received:</b> July 06, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 16, 2018
<b>Tracking No.</b> 1k2-944l-gcyt
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1182

Public comment 361. Individual. Michael Downs. 7-6-18

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## Submitter Information

**Name:** Michael Downs

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## General Comment

NO more guns! Ban assault rifles, the only people who need them are US Military!



# PUBLIC SUBMISSION

<b>As of:</b> 7/16/18 1:48 PM
<b>Received:</b> July 06, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 16, 2018
<b>Tracking No.</b> 1k2-944l-50jm
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1181

Public comment 362. Anonymous. 7-6-18

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## Submitter Information

**Name:** Anonymous Anonymous

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## General Comment

The refugees worldwide fleeing war know that fewer arms make them safer.

I oppose this rule change that would switch the regulations of firearms export from the U.S. State Department to the U.S. Commerce Department.

# PUBLIC SUBMISSION

<b>As of:</b> 7/16/18 1:46 PM
<b>Received:</b> July 06, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 16, 2018
<b>Tracking No.</b> 1k2-944l-ecmw
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1180

Public comment 363. Individual. Kate Darrigo. 7-6-18

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## Submitter Information

**Name:** Kate Darrigo

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## General Comment

I strongly oppose this rule change that would switch the regulations of firearms export from the U.S. State Department to the U.S. Commerce Department.

The NRA and gun manufacturers want guns everywhere, for everyone, not just here in the United States, but around the world. They are pushing hard for this rule change that would move the handling of export licenses of semiautomatic assault weapons and other powerful firearms from the U.S. State Department (focused on safeguarding our nation) to the U.S. Commerce Department (focused on promoting American business). This transfer of authority would open new floodgates for arms sales internationally, with serious implications for our national security.

Once again, I strongly oppose this rule change that would switch the regulations of firearms export from the U.S. State Department to the U.S. Commerce Department.

Thank you for your attention to this important matter.

# PUBLIC SUBMISSION

<b>As of:</b> 7/16/18 1:45 PM
<b>Received:</b> July 06, 2018
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<b>Posted:</b> July 16, 2018
<b>Tracking No.</b> 1k2-944l-w3v8
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1179

Public comment 364. R. 7-6-18

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## Submitter Information

**Name:** Anonymous Anonymous

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## General Comment

Greetings,

I oppose this rule change that would switch the regulations of firearms export from the U.S. State Department to the U.S. Commerce Department.

Best,  
R

# PUBLIC SUBMISSION

<b>As of:</b> 7/16/18 1:42 PM
<b>Received:</b> July 06, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 16, 2018
<b>Tracking No.</b> 1k2-944l-8s0k
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1178

Public comment 365. Anonymous. 7-6-18

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## Submitter Information

**Name:** Anonymous Anonymous

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## General Comment

In a free capitalist society companies have and do lobby aggressively for total unregulated ability to sell their wares inside and outside the country. Most products that are likely to cause danger to others or to consumers are highly regulated and rightly so like automobiles, medicines and even foods. This protection of the American and world consumer is inherent to the U. S. capitalist core. One exception is guns. Why?

Reasons abound. The point though is about the legality and morality of both selling internally and exporting to the world without logical restrictions of highly dangerous guns and war-caliber weapons to regular citizens in the name of a companys right. What about the right to protect consumers, families and communities? The government has both the economic and moral obligation to protect consumers and all citizens. The recent past legislation expired in the late 1980s that prohibited the sale of automatic and other war-calibre weapons to regular citizens inside and outside the U. S. was a bi-partisan agreement, totally in line with the U. S. Constitution. It is not a coincidence that violence in the last 20+ years has dramatically increased both in the U. S. and is currently ravaging neighboring countries. Unfortunately, this tragedy is largely caused by U. S. supplied and free-flowing arms that have no reason to be in the hands of law abiding citizens and even less reason to be accessible to dubious groups. Governments law enforcing forces are overextended and are often part of the many victims high-powered guns enable. A safety-driven and regulated gun industry is otherwise feasible.

Exporting the U. S. phoneme of mass shootings (it does not happen around the world; only with recent terrorist groups), increased brutality facilitated by easy availability of guns that should only be allowed in case of war, higher risks of gun-assisted suicides and rising youth violent behavior are against every Americans safety. Expanding a market of death and violence by U. S. companies does not make any sense.

Restate previous limits for starters. Show what American capitalism is really all about, growing wealth and prosperity peacefully. Regulation of danger is part of this.

# PUBLIC SUBMISSION

<b>As of:</b> 7/16/18 1:41 PM
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<b>Posted:</b> July 16, 2018
<b>Tracking No.</b> 1k2-944l-muhk
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1177

Public comment 366. Individual. Denese Edsall. 7-6-18

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## Submitter Information

**Name:** Denese Edsall

**Address:**

1625 N 58 Ave

Hollywood, FL, 33021

**Email:** dened62431@bellsouth.net

**Phone:** 954-242-1015

---

## General Comment

I oppose this rule change moving the regulation of firearms exports from the US State Department to the Us Commerce Department.

# PUBLIC SUBMISSION

<b>As of:</b> 7/16/18 1:40 PM
<b>Received:</b> July 06, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 16, 2018
<b>Tracking No.</b> 1k2-944l-fodx
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1176

Public comment 367. Individual. Dennis Young. 7-6-18

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## Submitter Information

**Name:** Dennis Young

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## General Comment

We need less guns, not more!

# PUBLIC SUBMISSION

<b>As of:</b> 7/16/18 1:39 PM
<b>Received:</b> July 06, 2018
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<b>Posted:</b> July 16, 2018
<b>Tracking No.</b> 1k2-944l-cdqg
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1175

Public comment 368. Individual. Paul Gray. 7-6-18

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## Submitter Information

**Name:** Paul Gray

**Address:**

659 Harbor Edge Circle, #102  
Memphis, TN, 38103

**Email:** paul8045@gmail.com

**Phone:** 9013553604

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## General Comment

Whether intentional, or not too many people wind up dead. We are better off without guns!

# PUBLIC SUBMISSION

<b>As of:</b> 7/16/18 1:38 PM
<b>Received:</b> July 06, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 16, 2018
<b>Tracking No.</b> 1k2-944l-m16v
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1174

Public comment 369. Individual. Rick Galliher. 7-6-18

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## Submitter Information

**Name:** Rick Galliher

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## General Comment

I oppose the transfer of authority over gun sales from the State Dept to the idiots at the Commerce dept. I do NOT want guns being sold to people that may use them to harm Americans or our allies.

This is a greedy mindless money grab and should be opposed by all patriotic people.



# PUBLIC SUBMISSION

<b>As of:</b> 7/16/18 1:33 PM
<b>Received:</b> July 06, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 16, 2018
<b>Tracking No.</b> 1k2-944l-d5af
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1173

Public comment 370. Individual. Stephen Melott. 7-6-18

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## Submitter Information

**Name:** Stephen Melott

---

## General Comment

The NRA and gun manufacturers want guns everywhere, for everyone, not just here in the United States, but around the world. They are pushing hard for a rule change that would move the handling of export licenses of semiautomatic assault weapons and other powerful firearms. This transfer of authority would open new floodgates for arms sales internationally, with serious implications for our national security. We must STOP the opening of new floodgates for gun sales!

# PUBLIC SUBMISSION

<b>As of:</b> 7/16/18 1:32 PM
<b>Received:</b> July 06, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 16, 2018
<b>Tracking No.</b> 1k2-944l-8keh
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1172

Public comment 371. Individual. Sonia ImMasche. 7-6-18

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## Submitter Information

**Name:** Sonia ImMasche

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## General Comment

This change is nuts! The President is pandering to a few and leaving the rest of us at risk! I am not in support of this regulations change.

# PUBLIC SUBMISSION

<b>As of:</b> 7/16/18 1:30 PM
<b>Received:</b> July 06, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 16, 2018
<b>Tracking No.</b> 1k2-944l-eywj
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1171

Public comment 372. Individual. Henry Paradis. 7-6-18

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## Submitter Information

**Name:** HENRY PARADIS

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## General Comment

Only arms meant to hunt animals, or hand guns should be sold after an extensive background check is made, and a week waiting period.

# PUBLIC SUBMISSION

<b>As of:</b> 7/16/18 1:29 PM
<b>Received:</b> July 06, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 16, 2018
<b>Tracking No.</b> 1k2-944l-k7ww
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1170

Public comment 373. Individual. Patrick Hinton. 7-6-18

---

## Submitter Information

**Name:** Patrick Hinton

**Address:**

32504 Sunburst Lane  
Evergreen, CO, 80439

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## General Comment

The US Commerce Department should not oversee the sale of semi automatic weapons exported around the globe. This oversight should be the responsibility of the State Department.

# PUBLIC SUBMISSION

<b>As of:</b> 7/16/18 1:28 PM
<b>Received:</b> July 06, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 16, 2018
<b>Tracking No.</b> 1k2-944l-t5ds
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1169

Public comment 374. Individual. Stephanie Bair. 7-6-18

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## Submitter Information

**Name:** Stephanie Bair

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## General Comment

The control of sales and shipment of fire arms and weapons made in the US should be closely governed within and without the USA. No shipments of US weapons should go out of the US to any foreign countries unless they are US allies. Then shipments should be guarded by US soldiers until placed in the hands of allies.

# PUBLIC SUBMISSION

<b>As of:</b> 7/16/18 1:26 PM
<b>Received:</b> July 06, 2018
<b>Status:</b> Posted
<b>Posted:</b> July 16, 2018
<b>Tracking No.</b> 1k2-944l-5tew
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1168

Public comment 375. Individual. Laurie Doscher. 7-6-18

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## Submitter Information

**Name:** Laurie Doscher

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**Email:** ldoscher@earthlink.net

**Phone:** 541 935 4324

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## General Comment

I oppose this rule change. I don't trust Mr. Trump's influences or decisions.

# PUBLIC SUBMISSION

<b>As of:</b> 7/16/18 1:24 PM
<b>Received:</b> July 06, 2018
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<b>Posted:</b> July 16, 2018
<b>Tracking No.</b> 1k2-944l-7gvp
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1167

Public comment 376. Anonymous. 7-6-18

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## Submitter Information

**Name:** Anonymous Anonymous

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**Email:** joanesq93@gmail.com

**Phone:** 4152345678

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## General Comment

Do not change the rules for sale of weapons in any way that increases the sales of firearms either domestically or internationally. We need to protect people from guns, not encourage carnage and destruction.

# PUBLIC SUBMISSION

<b>As of:</b> 7/16/18 1:17 PM
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<b>Tracking No.</b> 1k2-944l-b6ko
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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1166

Public comment 377. Anonymous. 7-6-18

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## Submitter Information

**Name:** Anonymous Anonymous

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## General Comment

I oppose this rule change that would switch the regulations of firearms export from the U.S. State Department, which is focused on safeguarding our nation, to the U.S. Commerce Department, which promotes American business. This transfer of authority and oversight will increase arms sales internationally and have serious implications for our national security.



# PUBLIC SUBMISSION

<b>As of:</b> 7/16/18 1:16 PM
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<b>Posted:</b> July 16, 2018
<b>Tracking No.</b> 1k2-944l-syc4
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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1165

Public comment 378. Individual. Elliot Pliner. 7-6-18

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## Submitter Information

**Name:** ELLIOT PLINER

**Address:**

new york, NY, 10011

**Email:** epliner@epliner.com

**Phone:** 2125358887

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## General Comment

DO NOT PERMIT THE CHANGE OF EXPORT LICENSES FOR ASSAULT WEAPONS FROM THE STATE DEPARTMENT TO THE COMMERCE DEPARTMENT.

# PUBLIC SUBMISSION

<b>As of:</b> 7/16/18 1:15 PM
<b>Received:</b> July 06, 2018
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<b>Posted:</b> July 16, 2018
<b>Tracking No.</b> 1k2-944l-rtle
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1164

Public comment 379. Individual. Tod Boyer. 7-6-18

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## Submitter Information

**Name:** Tod Boyer

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## General Comment

No subverting of gun sales regulations!

# PUBLIC SUBMISSION

<b>As of:</b> 7/16/18 1:14 PM
<b>Received:</b> July 06, 2018
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<b>Posted:</b> July 16, 2018
<b>Tracking No.</b> 1k2-944l-ud9r
<b>Comments Due:</b> July 09, 2018
<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1163

Public comment 380. Anonymous. 7-6-18

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## Submitter Information

**Name:** Anonymous Anonymous

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## General Comment

This stupid idea will put the United States at risk from outsiders that have bought guns from unscrupulous dealers that only have their bottom line in mind. The State department can at least control what and where munitions are sold - preferably NOT TO OUR ENEMIES inside our country or outside our country.

# PUBLIC SUBMISSION

<b>As of:</b> 7/16/18 1:13 PM
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<b>Tracking No.</b> 1k2-944l-zaey
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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1162

Public comment 381. Individual. Mary Anglin. 7-6-18

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## Submitter Information

**Name:** Mary Anglin

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## General Comment

I cannot believe we are actually seriously proposing allowing unfettered export of guns from the U.S. to anywhere in the world --- are you insane? Isn't the world already dangerous enough, to everyone, including our own citizens traveling abroad or serving in our armed forces. Please, please do not allow this change.

# PUBLIC SUBMISSION

<b>As of:</b> 7/16/18 1:12 PM
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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1161

Public comment 382. Individual. Greta Aul. 7-6-18

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## Submitter Information

**Name:** greta Aul

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## General Comment

What we allow in the USA in terms of guns and gun parts which can kill multiple people should never be allowed here or anywhere. This is sounding like the shift of cigarette advertising to other countries when tobacco industries were forced to put labeling on cigarette packs the US indicating that cigarettes are dangerous to peoples' health. Let's sell these guns and gun parts to other countries, and start doing so right away, before they are banned in America. What a fantastic way to keep gun manufacturers in business! Then we really will have to carefully monitor people coming to America! Hopefully the reader of this letter can see the sarcasm...

# PUBLIC SUBMISSION

<b>As of:</b> 7/16/18 1:10 PM
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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1160

Public comment 383. Individual. Kathryn Burns. 7-6-18

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## Submitter Information

**Name:** Kathryn Burns

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## General Comment

Contrary to what the NRA may have told you, the world does NOT need more firearms. Enough already! We've got enough blood on our hands as it is.

# PUBLIC SUBMISSION

<b>As of:</b> 7/16/18 1:09 PM
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<b>Submission Type:</b> Web

**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1159

Public comment 384. Individual. Nina Liakos. 7-6-18

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## Submitter Information

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**Phone:** 2402461789

**Fax:** 20878

**Organization:** Moms Rising

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## General Comment

I fiercely oppose the rule change that would move the handling of export licenses of semiautomatic assault weapons and other powerful firearms from the U.S. State Department to the U.S. Commerce Department. This transfer of authority would open new floodgates for arms sales internationally, with serious implications for our national security, to say nothing of the security of people in other countries where these guns would end up. The United States, historically the protector of human rights and supporter of democracy worldwide, must never become the purveyor of death to people around the world. We would be vilified forever if this were to happen.

# PUBLIC SUBMISSION

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**Docket:** BIS-2017-0004

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Comment On:** BIS-2017-0004-0001

Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**Document:** BIS-2017-0004-1158

Public comment 385. Individual. William Hilliker. 7-6-18

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## Submitter Information

**Name:** William Hilliker

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## General Comment

I oppose this rule change that would switch gun sales supervision from the State Department to the Commerce Department.